



Economic Development and Infrastructure Services Committee

Tuesday, 14 November 2023

NOTICE IS HEREBY GIVEN that a Meeting of the **Economic Development and Infrastructure Services Committee** is to be held at **Council Chambers, Council Office, High Street, Elgin, IV30 1BX** on **Tuesday, 14 November 2023** at **09:30**.

BUSINESS

- 1 **Sederunt**
- 2 **Declaration of Group Decisions and Members Interests ***
- 3 **Minute of meeting dated 5 September 2023** **7 - 14**
- 4 **Written Questions ****
- 5 **Active Travel Strategy and Action Plan Annual Update** **15 - 54**
Report by Depute Chief Executive (Economy, Environment and Finance)
- 6 **Road Safety Plan to 2030** **55 - 124**
Report by Depute Chief Executive (Economy, Environment and Finance)
- 7 **Port Marine Safety Code Quarterly Report** **125 - 136**
Report by Depute Chief Executive (Economy, Environment and Finance)
- 8 **Biodiversity Duty Report 2021-2023** **137 - 154**
Report by Depute Chief Executive (Economy, Environment and Finance)

9	Consultation on Scotlands Strategic Framework for Biodiversity	155 - 188
	Report by Depute Chief Executive (Economy, Environment and Finance)	
10	Public Sector Climate Change Reporting	189 - 196
	Report by Depute Chief Executive (Economy, Environment and Finance)	
11	Industrial Portfolio Annual Report 2022-23	197 - 214
	Report by Depute Chief Executive (Economy, Environment and Finance)	
12	Annual Report on Energy Strategy and Actions	215 - 236
	Report by Depute Chief Executive (Economy, Environment and Finance)	
13	Performance Report (Environmental and Commercial Services) - Period to September 2023	237 - 242
	Report by Depute Chief Executive (Economy, Environment and Finance)	
14	Performance Report (Economic Growth and Development Services) - Period to September 2023	243 - 248
	Report by Depute Chief Executive (Economy, Environment and Finance)	
15	Question Time ***	
	Consider any oral question on matters delegated to the Committee in terms of the Council's Scheme of Administration.	

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.

GUIDANCE NOTES

* **Declaration of Group Decisions and Members Interests** - The Chair of the meeting shall seek declarations from any individual or political group at the beginning of a meeting whether any prior decision has been reached on how the individual or members of the group will vote on any item(s) of business on the Agenda, and if so on which item(s). A prior decision shall be one that the individual or the group deems to be mandatory on the individual or the group members such that the individual or the group members will be subject to sanctions should they not vote in accordance with the prior decision. Any such prior decisions will be recorded in the Minute of the meeting.

** **Written Questions** - Any Member can put one written question about any relevant and competent business within the specified remits not already on the agenda, to the Chair provided it is received by the Proper Officer or Committee Services by 12 noon two working days prior to the day of the meeting. A copy of any written answer provided by the Chair will be tabled at the start of the relevant section of the meeting. The Member who has put the question may, after the answer has been given, ask one supplementary question directly related to the subject matter, but no discussion will be allowed.

No supplementary question can be put or answered more than 10 minutes after the Council has started on the relevant item of business, except with the consent of the Chair. If a Member does not have the opportunity to put a supplementary question because no time remains, then he or she can submit it in writing to the Proper Officer who will arrange for a written answer to be provided within 7 working days.

*** **Question Time** - At each ordinary meeting of the Committee ten minutes will be allowed for Members questions when any Member of the Committee can put a question to the Chair on any business within the remit of that Section of the Committee. The Member who has put the question may, after the answer has been given, ask one supplementary question directly related to the subject matter, but no discussion will be allowed.

No supplementary question can be put or answered more than ten minutes after the Committee has started on the relevant item of business, except with the consent of the Chair. If a Member does not have the opportunity to put a supplementary question because no time remains, then he/she can submit it in writing to the proper officer who will arrange for a written answer to be provided within seven working days.

MORAY COUNCIL

Economic Development and Infrastructure Services Committee

SEDERUNT

Councillor Marc Macrae (Chair)
Councillor Amber Dunbar (Depute Chair)

Councillor Peter Bloomfield (Member)
Councillor John Cowe (Member)
Councillor John Divers (Member)
Councillor David Gordon (Member)
Councillor Juli Harris (Member)
Councillor Sandy Keith (Member)
Councillor Graham Leadbitter (Member)
Councillor Paul McBain (Member)
Councillor Shona Morrison (Member)
Councillor John Stuart (Member)
Councillor Draeyk Van Der Horn (Member)
Councillor Sonya Warren (Member)

Clerk Name:	Lissa Rowan
Clerk Telephone:	07765 741754
Clerk Email:	committee.services@moray.gov.uk

Minute of Meeting of the Economic Development and Infrastructure Services Committee

Tuesday, 05 September 2023

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

PRESENT

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

IN ATTENDANCE

The Depute Chief Executive (Economy, Environment and Finance), Head of Governance, Strategy and Performance, Head of Economic Growth and Development, Head of Environmental and Commercial Services, Transportation Manager, Open Spaces Manager, Principal Climate Change Strategy Officer, Lindsey Robinson, Committee Services Officer.

1. Chair

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

2. Declaration of Group Decisions and Members Interests *

In terms of Standing Orders 21 and 23 and the Councillors' Code of Conduct, there were no declarations from Group Leaders or Spokespersons in regard to any prior decisions taken on how Members will vote on any item on the agenda or any declarations of Member's interests in respect of any item on the agenda.

3. Resolution

The meeting resolved that under Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the meeting for Item 13 of business on the grounds that it involves the likely disclosure of exempt information of the class described in relevant Paragraphs of Part 1 of Schedule 7A of the Act.

Paragraph Number of Minute	Paragraph Number of Schedule 7a and Reason
17	9 - Information of terms proposed or to be proposed by or to the Authority.

4. Minute of Meeting dated 20 June 2023

The minute of the meeting of the Economic Development and Infrastructure Services Committee dated 20 June 2023 was submitted and approved.

5. Written Questions **

The Committee noted that no written questions had been submitted.

6. Rosario Level Crossing Closure

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) seeking approval of the Committee to begin a new consultation process for a proposed Stopping Up Order of the C54H Crooksmill to Muldearie Road at the Rosario Level Crossing under Section 68(1) of the Roads (Scotland) Act 1984: "Moray Council (C54H Crooksmill to Muldearie Road (At Rosario Level Crossing) – Stopping Up) Order 2023".

Following consideration the Committee unanimously agreed to:

- i. approve the proposed Stopping Up Order at the location shown in Appendix 1 to the report and agreed to instruct the Head of Environmental and Commercial Services, the Head of Governance, Strategy and Performance and the Legal Services Manager to proceed with the statutory process; and
- ii. instruct the Head of Environmental and Commercial Services and the Legal Services Manager to make and implement the Order if, following the consultation period, there are no outstanding objections.

7. Environmental and Commercial Services and Economic Growth and Development Services (Economic Development) Capital and Revenue Budget Monitoring to 30 June 2023

The meeting had before it a report by the Depute Chief Executive (Economy Environment and Finance) informing the Committee of the current position regarding Environmental and Commercial Services and Economic Growth and Development Services (Economic Development) Capital and Revenue Budgets.

Following consideration the Committee unanimously agreed to note the budget monitoring report for the period to 30 June 2023.

8. Elgin Parking Review

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) setting out recommendations following feedback from stakeholder engagement held on 12 April 2023 and a subsequent review of Elgin parking charges.

During consideration Councillor Dunbar, moved an update to recommendation (iii) to read:

Approves the revised parking charges in high and medium turnover car parks as set out in Section 6 of this report but makes no changes to low turnover car park charges; and given the budgetary impact, refers determination of the charges to the next meeting of Moray Council for a final decision with a recommendation from this committee based on its view on the charges.

This was seconded by Councillor Bloomfield.

Councillor Warren asked if parent and child spaces could be looked at during the review of disabled spaces and added into the wording of paragraph 4.6.

In response the Transportation Manager advised that parent and child spaces will be looked at and the wording updated and the sizes of spaces reviewed during any re-lining.

Councillor Leadbitter sought clarification on the possibility of extending the charging periods at Lossie Green carpark and adding street furniture to Batchen Street.

In response the Transportation Manager advised that he would be happy to look at the short term use of street furniture in Batchen Street and that he would provide information to members about the potential to extend the charging times at Lossie Green carpark and the implications for enforcement.

Councillor Warren sought clarification as to whether Police Scotland could use CCTV to penalise illegal parking.

In response Councillor Macrae advised that he would write to Police Scotland to ask the question.

Councillor Macrae also stated that he would write to the UK Transport Minister and Home Secretary asking for a review into the level of parking fines for enforcement as the penalty is not sufficient to deter people from illegal parking.

Thereafter the Committee unanimously agreed to:

- i. note the summary of feedback from the Stakeholder meeting held on 12 April 2023 and the proposed measures set out in the subsequent parking review;
- ii. approve the approach set out in paragraph 4 of the report; and
- iii. approve the revised parking charges in high and medium turnover car parks as set out in Section 6 of this report but makes no change to low turnover car park charges; and given the budgetary impact, refers determination of the charges to the next meeting of Moray Council for a final decision with a recommendation from this committee based on its view on the charges.

9. Updated Management Rules for Cemeteries and Burial Grounds

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) informing the Committee of the proposed revised management rules for Council owned or controlled Cemeteries and Burial Grounds, incorporated under the Local Government (Scotland) Act 1994.

During consideration Councillor Leadbitter asked that the rules around pets and children under the age of 12 be highlighted to the public.

In response the Open Spaces manager advised that the rules would be reinforced by signage at the entrance to cemeteries and burial grounds.

Councillor Leadbitter further asked for exemptions for assistance dogs to be added in.

This was agreed by the Open Spaces manager.

Thereafter the Committee unanimously agreed:

- i. the revised Cemetery Management Rules as outlined in Appendix I and;
- ii. that the revised Cemetery Management Rules supersede any previous management rules for cemetery and burial grounds.

10. Town Centre Improvement Plans Update and Funding Opportunities

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) updating the Committee on the establishment of a Town Centre Taskforce and to ask Committee to approve a number of actions to support town centre regeneration using external funding already secured, note work being undertaken to address feedback on the unsuccessful Levelling Up Fund bid and agree to further investigate the feasibility of a heat network for the centre of Elgin.

Following consideration the Committee unanimously agreed to:

- i. note the setting up of a Town centre Taskforce to support town centre regeneration across Moray;
- ii. note the external funding secured towards town centre regeneration;
- iii. approve spend of this year's allocation for the Place Based Investment Programme for town centre improvements as proposed;
- iv. note proposals for future years of the Place Based Investment Fund set out in section 6;
- v. note the external funding for town centre projects secured through UKSPF as set out in paragraph 6.2;
- vi. delegate authority to the Head of Economic Growth and Development in liaison with the Chief Financial Officer to vire (or transfer) money between the projects within the Place based Investment Programme to ensure they can be delivered and minimise the risk of underspend;
- vii. note the work being undertaken to address feedback received on the Council's Levelling Up Fund bid;
- viii. an annual report on TCIP progress and the work of the Taskforce being presented to this Committee;
- ix. investigate the feasibility of a heat network for the centre of Elgin and apply for external funding for the feasibility study subject to no additional costs being incurred by the Council; and

- x. a copy of this report be considered at Planning and Regulatory Services Committee as an update on the Town Centre Improvement Plan work.

11. Local Visitor Levy

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) informing the Committee of the introduction of the Visitor Levy (Scotland) Bill in the Scottish Parliament and seek approval for the recommendations.

During consideration Councillor Leadbitter, moved the recommendations as written with a slight change to recommendation (v) to read:

consider in principle the concept of raising funds through a Local Visitor Levy and, given the potential financial implications for the Council, to refer this report on to full Council for a decision with a recommendation from this committee as to its view on support in principle.

This was seconded by Councillor Warren.

Councillor Dunbar, seconded by Councillor Bloomfield proposed an amendment to agree none of the recommendations and instead agree the following wording:

The Committee does not recommend implementing a Local Visitor Levy in Moray and given the financial implications, refers this report on to Moray Council for a decision with a recommendation from this Committee as to its view on rejecting the levy.

On the division there voted:

Motion (9) Councillors Leadbitter, Warren, Cowe, Divers, Harris, Keith, Morrison, Stuart and Van der Horn

Amendment (5) Councillors Dunbar, Bloomfield, Gordon, Macrae and McBain

Abstentions (0)

Accordingly the motion became the finding of the meeting and the Committee agreed to:

- i. note the details of the Visitor Levy (Scotland) Bill and the proposed timetable through Parliament;
- ii. note that an expert advisory group, facilitated by Visit Scotland will be formed to offer opportunities for consultation on the Bill;
- iii. note the requirement to conduct consultation and assess impacts on the area before a final decision to implement a visitor levy can be made;
- iv. note that the Highlands and Islands regional Economic Partnership has agreed to look at a consistent approach to consultation and implementation of a visitor levy across the region; and

- v. consider in principle the concept of raising funds through a Local Visitor Levy and, given the potential financial implications for the Council, to refer this report on to Moray Council for a decision with a recommendation from this committee as to its view on support in principle.

12. Use of Council Buildings and Structures for Abseiling etc

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) asking the Committee to approve an exception to the existing policy on the use of Council buildings and structures for abseiling or similar activities.

Following consideration the Committee unanimously agreed to approve an exception to the current policy on the use of Council buildings and structures for abseiling or similar activities, for Film and Television purposes only, due to the economic benefit screen tourism brings, as set out in paragraph 3.5 of the report.

13. SSEN Transmission - Community Benefit Fund Consultation

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) asking the Committee to consider an officer response to a SSEN (Scottish and Southern Electricity Networks) Transmission Community Benefit Fund Consultation and update members on work being commissioned to explore the potential to establish a new model for a strategic Socio-Economic Benefit Fund.

Following consideration the Committee unanimously agreed to:

- i. note the officer response set out in Appendix 1; and
- ii. note the study being commissioned into establishing a Socio-Economic Benefit Fund.

14. Information Reports - if called in

The Committee noted that no information reports had been called in.

15. Question Time ***

Buckie Weighbridge

Under reference to item 4 of the minute of the meeting held 20 June 2023, Councillor Warren asked for an update on the Buckie Weighbridge.

In response, the Head of Environmental and Commercial Services advised that it was now fully calibrated and ready for use, but there are currently road works which are blocking the road but as soon as they are completed it can be used.

Councillor Warren sought an update on the loss of income from the delays.

In response the Head of Environmental and Commercial Services advised that she would circulate that information to the Committee as she didn't have it to hand.

CCTV

Under reference to item 15 of the minute of the meeting held 20 June 2023, Councillor Warren asked for an update on CCTV and whether it was now fully operational in all towns.

In response the Head of Economic Growth and Development advised that there was one camera in Keith that was being repaired later that week and all of the others were working and being monitored.

Minute of 20 June 2023

Under reference to item 15 of the minute of the meeting held 20 June 2023, Councillor Keith advised that it was the A9 and the A96 he was referring too.

In response the clerk advised she would update the minute and Councillor Macrae advised that the response to the letter he wrote to the Transport Minister was available on CMIS.

20 mph zones

Councillor Keith requested that the Chair write to the Scottish Government for clarification on the funding position for 20mph zones.

In his capacity as Chair of the Committee, Councillor Macrae agreed to do this.

A98

Councillor Warren sought clarification on the review of the A98, work to be done and any safety issues.

In response the Head of Environmental and Commercial Services advised that the revised road safety plan would be presented to the Committee at the November meeting.

Invasive Species

Councillor Van der Horn sought clarification on what could be done by the Council with regard to sightings of the Asian hornet and the New Zealand flat worm.

In response the Head of Economic Growth and Development advised that it was not something that was within the biodiversity remit of the Council and that responsibility for invasive species sits with government agencies.

Bird Flu

Councillor Warren sought clarification on the Council position for the removal of dead birds.

In response the Head of Economic Growth and Development advised that the Moray Council website provided information for the public on what should be done if dead birds are found. He further added that the number of birds being washed up is being monitored by Environmental Health.

16. Suspension of Standing Orders

In terms of Standing Order 85, the meeting agreed to suspend Standing Order 77 and continue beyond 12.45pm in order to conclude consideration of the final item.

17. Hydrogen Strategy Opportunities [Para 9]

The meeting had before it a report by the Depute Chief Executive (Economy, Environment and Finance) informing the Committee of an opportunity to progress the work of the Moray Hydrogen Strategy by entering a non-binding Customer Memorandum Of Understanding (MOU) with the company detailed in para 5.1; and by joining a consortium led by Aberdeen City Council to expand hydrogen bus opportunities through the North East.

During consideration the Principal Climate Change Strategy Officer advised that recommendation (ii) and section 6 of the report were to be removed as the funding stream indicated was no longer available.

Following consideration the Committee unanimously agreed to sign a non-exclusive Customer Memorandum of Understanding with the company detailed in paragraph 5.1 to allow the exchange of confidential information and data.



REPORT TO: ECONOMIC DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE ON 14 NOVEMBER 2023

SUBJECT: ACTIVE TRAVEL STRATEGY AND ACTION PLAN ANNUAL UPDATE

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

1. REASON FOR REPORT

- 1.1 The Committee is asked to note the progress made over the past year on the delivery of the Active Travel Strategy (ATS), which sets out the Council's vision and action plan over the next 5 years for Active Travel in Moray, and approve the use of a new Prioritisation Tool which has been developed to inform the decision making process for new Active Travel infrastructure schemes.
- 1.2 This report is submitted to Committee in terms of Section III (F) (17) of the Council's Scheme of Administration relating to traffic management functions.

2. RECOMMENDATION

2.1 It is recommended that Committee:

- i. note the update in Appendix 1 and progress made in delivering the ATS Action Plan within the first year of the strategy; and**
- ii. approves the use of the Prioritisation Tool, to inform the prioritisation of new Active Travel infrastructure schemes.**

3. BACKGROUND

- 3.1 The Active Travel Strategy (ATS) is a 5 year plan from 2022 to 2027 which aims to build on the increase in walking and cycling seen over the period covered by the previous ATS, as well as meeting the Scottish Government requirement for Councils to have developed an Active Travel Strategy and scheme list to support applications for external funding.
- 3.2 Active Travel has many benefits to both communities and individuals, and has a number of positive outcomes for public health, social inclusion, reducing the environmental impact of transport and for supporting local economic activity. By choosing to walk or cycle over private vehicle use, it can help deliver a low

cost, high return for society as a whole and on individual health. Key policies within the National Planning Framework 4 (Policy 13 Sustainable Transport and Policy 15 Local Living and 20 Minute Neighbourhoods) also reiterate the importance and benefits of Active Travel.

- 3.3 This is the first annual progress report, one year on from the approval of the ATS in November 2022. The Annual Report for 2022/23 is attached as **Appendix 1**.
- 3.4 Over recent years there have been increasing numbers of requests from members of the public for new active travel infrastructure or interventions. Whilst there have been significant increases in the amount of Cycling Walking and Safer Routes funding allocated, and new opportunities to bid for competitive active travel funding, the number of schemes requested far exceeds available funding and officer time to develop and deliver projects.
- 3.5 In the absence of a national tool for evaluating and prioritising active travel schemes, an Active Travel Prioritisation Tool (ATPT) has been developed by officers to be used to inform decision making on which schemes will be taken forward during the life of the current ATS. A report setting out the development of the ATPT has been uploaded to CMIS along with the agenda, as additional meeting document..

4. ATS PROGRESS REPORT

- 4.1 The progress report (**Appendix 1**) presents a summarised overview of progress to date against the first year of the ATS Action Plan, as well as proposed activities for supporting the next stages of the strategy.
- 4.2 In the past year the following schemes have been progressed and behaviour change initiatives delivered:

Construction Projects

- Thornhill Road, Elgin - Toucan Crossing
- Morrision Road, Elgin - Toucan Crossing
- Resurfacing Improvements NCN1 Garmouth to Spey Viaduct
- New cycle track and footways linking Applegrove Primary and Forres Academy with residential areas through the south and west of Forres
- Duff Place, Elgin - new footway at Bishopmill Primary School
- High Street (East End), Elgin - Footway widening
- B9010 Main Road, Rafford – Preparatory works for new footway
- B9040 Forsyth Street, Hopeman - New footway
- C25E Roseisle – New footway along Roseisle Hall frontage.
- Participatory Budgeting Cycle Parking installation Buckie and Keith

Design Projects

- St Leonards Road, Forres – Build out to assist pedestrians crossing the road
- Victoria Roundabout, Forres - Reallocation of road space (Options Appraisal)
- Grant Drive, Forres – Raised crossings of side roads for pedestrians and cyclists
- Morriston Road, Elgin – Raised crossings of side roads for pedestrians and cyclists
- Lossie Wynd/ Commerce Street – Improvements to cycle and pedestrian infrastructure along the north and south links through the city centre (Options Appraisal)

Behaviour Change and other projects

- Expansion of Moray Bothy into Cooper Park, Elgin
- Second year running the 'Speyside Challenge'
- Development of eight Active Travel Masterplans for settlements
- New staff pool bikes and cycle shelter
- Three 'Bike Fest' events held in Elgin, Forres and Aberlour
- 'Park Smart' run at three separate Primary schools
- Development on three new School Route Audits to evaluate the quality of the walking environment around schools
- Most successful year to date for participation in the 'Travel Tracker' School engagement programme

4.2.1 Of the above projects, the Moray Bothy project based in Cooper Park is of particular interest. The main focus is working with local communities to bring together organisations that promote walking, wheeling and cycling activities and providing any additional opportunities that are required to help people get active on wheels or by foot. Led rides are being offered to asylum seekers twice per week. Bikes were gifted to asylum seekers by the local community but were not accompanied by any further training. This gap has been successfully filled with the provision of led rides which has helped participants to familiarise themselves with the local area and routes and covered fundamental skills to improve their confidence. Furthermore, the Bothy has been working with individuals through 'Spinal Injuries Scotland' with one participant who accessed the hub now having their own cycle to use independently. Lastly, there are families that engage with the hub to explore and try the different cycles to understand what best fits their needs. An example of the positive outcomes this can bring is a family who tested various cycles at the hub and decided to purchase a Tern bike using the Energy Savings Trust loan. This cycle has now replaced the car for everyday journeys to nursery. Full details of the schemes and projects can be found in **Appendix 1**.

4.3 Furthermore, there may be a future opportunity to work in partnership with HITRANS to expand the existing Hi-Bike network currently operating in Inverness and Fort William (<https://hi-bike.co.uk/>) to include sites in Elgin. This is in the early stages of investigation and may be the subject of a future report to Committee.

4.4 The progress report also contains new observed cycle and pedestrian count data from January 2021 – December 2022. Count sites within the urban areas are generally continuing to show an upwards trend in numbers of pedestrians and cyclists. However, counters on routes which people use for leisure purposes have shown a reduction in movements. This reduction is from the high level of use observed during the Covid 19 pandemic. However, when comparing current data to 2019 data, there is still an upwards trend in pedestrians and cyclists using these leisure routes.

5. ACTIVE TRAVEL PRIORITISATION TOOL (ATPT)

5.1 A Prioritisation Tool, also known as a ‘scoring tool’ or a ‘multi criteria assessment tool’, enables the comparison of various proposed schemes based on the same set of criteria, and to rank the schemes on the basis of a numerical score. This ‘score’ can be used to inform decisions on the use of funding and staff resources. A recent example of the use of such a scoring tool is for the allocation of funding for improvements to the Core Path Network in Moray (see Core Paths Action Plan 2023-2036 report to this committee dated 20 June 2023). (para 5 of the minute refers)

5.2 Over the years, officers and communities have identified locations where new or improved active travel infrastructure is required to support pedestrians, wheelers and cyclists. These locations may be on routes to schools or in rural communities where a lack of provision is a deterrent to active travel.

5.3 More recently, as part of the review of the Local Development Plan, specific questions have been asked during the consultation events with regard to areas where communities perceive a need for new or improved active travel infrastructure. However, the number of schemes identified and their associated costs, far exceeds what could be delivered using available funding sources and staff resources.

5.4 The aim of the ATPT is to provide a clear and transparent process for identifying which projects are prioritised to be taken forward for investigation, design and ultimately construction. The Scottish Government document ‘Cycling by Design’ (2021) is the guidance used by officers to inform the design of cycle infrastructure. The ATPT will be used until such time that a national tool has been developed and is available for use by Local Authorities.

5.5 The ATPT will be used to inform the decision making process with regard to whether a scheme is progressed and its priority for resources (funding and officer time). The delivery of schemes can be dependent on factors such as the need to secure third party land or how a scheme fits into an overall re-development of an area, which can also have an influence on the timescale for its delivery.

5.6 ATPT was developed by undertaking research into other such tools used for prioritising active travel schemes and has been subjected to a peer review. The peer review was important in the identification and development of the criteria within the tool and involved a number of local stakeholders, council officers and representatives from Sustrans.

5.7 The key criteria considered within the APTP are as set out below. Further information detailing the full process of scoring an individual scheme has been uploaded to CMIS along with the agenda as an additional meeting document.:

Infrastructure

- Identifying **Need** and potential usage through considering the destinations which could be accessed via the scheme (e.g. schools, work etc.).
- **Demand** based on the distances which would be travelled to destinations.
- **Benefit** to which user groups, pedestrians only, cyclists only etc.
- **Deliverability**, whether there are constraints such as third party land, challenging topography etc.
- **Cost**, schemes with a high cost are given a lower score to reflect the likelihood of being funded in any one given year.
- **Size of settlement** to provide an indication of the number of people likely to benefit from the scheme.
- **Speed limit** to identify if there are potential road safety benefits, e.g. a segregated cycle path alongside a 60mph road would score more highly than within a 30mph speed limit.

Place Making

- Potential for the scheme to encourage a modal shift from car travel to active travel.
- Schemes which provide connections to remote areas are scored higher than schemes in areas already well served.
- Contribution of a scheme to a neighbourhoods' quality.

Overarching Criteria

- General feasibility, determining if scheme could be delivered in the short, medium or long term.
- If vulnerable user groups would be primary users of the scheme
- Scottish Index of Multiple Deprivation (SIMD) of the area served by the scheme.
- Opportunity for Grant Funding, with schemes that meet funding criteria being scored more highly than those which only partially meet funding criteria.
- Future maintenance of the scheme and whether it would become part of the public road.
- Qualitative / overarching issues which relates to whether the scheme fits into a wider strategy for an area.

5.8 To date 32 schemes have been scored using the ATPT, which are from the current Active Travel project list or have been identified through recent community engagement and consultations. Some suggestions made by the public have not been scored using the tool as they related to road safety or maintenance schemes, or were for items such as cycle parking which are being delivered through Participatory Budgeting.

- 5.9 The intention of the ATPT is to influence decision making, but not for decisions to be solely based on the results of the assessments. There will be other influences which will mean that some proposed schemes will be undertaken before those with a higher score. For example, the highest scoring scheme, the Burn of Buckie Active Travel Bridge, is a complex project which is also supported by developer obligations. It will take a number of years and significant funding to deliver this project. Resources will be allocated to develop the scheme. However, other smaller projects will be delivered before it is completed.
- 5.10 Members of the public can contact officers to discuss their ideas for Active Travel schemes through sending an email to activetravel@moray.gov.uk or during public events or consultations. A portal for the council website is also being developed which will provide information on each of the proposed schemes which have been assessed, including any new proposals received following the launch of the portal. However, due to the high number of schemes already identified and limited funding/staff resources, not all schemes will be taken forward.

6. **SUMMARY OF IMPLICATIONS**

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

The Active Travel Strategy and Action Plan support Moray's 2026 priorities for healthier citizens as well as for older people to sustain active lives in their community. As well as supporting economic development targets by providing greater choice for travel within and between communities.

The Active Travel Strategy and Action Plan also supports all four of the priority areas of the Local Outcome Improvement Plan;

- Developing a diverse, inclusive and sustainable economy
- Building a better future for our children and young people in Moray
- Empowering and connecting communities
- Improving wellbeing of our population

(b) Policy and Legal

The Active Travel Strategy and Action Plan links to National and Regional policy objectives, as set out in the strategy document, and Action 31 in the Moray Local Development Plan 2020 Delivery Programme and Action Plan – Encourage Active Travel. As well as Policy 13 Sustainable Transport, and Policy 15 Local Living and 20 Minute Neighbourhoods within NPF4.

There are no legal implications arising from this report.

(c) Financial implications

The Scottish Government has committed to increasing investment to at least £320 million or 10% of the total transport budget on Active Travel by 2024-25. As set out in the ATS, it is intended to fund the Action Plan through existing funding streams, as well as applications for external grant funding when the opportunity arises.

With the increase of planned infrastructure, a bigger proportion of maintenance budget will be needed to be spent in the future on any new Active Travel routes, including winter maintenance and gritting. Roads Maintenance are currently responsible for over 25 miles of cycle tracks.

There are no financial implications arising from the recommendations in this report, however it should be noted that comprehensive delivery of the Action Plan will be contingent on ongoing successful sourcing of additional grant funding (subject to Council approvals).

(d) Risk Implications

Without an up to date Active Travel Strategy and Action Plan, there is a risk of a fragmented approach to the provision of Active Travel infrastructure and Behaviour Change programmes, which may not fully capitalise on existing and future funding opportunities. Having an Active Travel Strategy, and list of identified schemes has been highlighted as a requirement for the new 'Active Travel Transformation Fund'.

(e) Staffing Implications

The delivery of the ATS and building of new infrastructure is dependent on the current level of staff resources being maintained. Significant projects bid for through the Active Travel Transformation Fund will require additional staff members/support from external consultants, the cost of which will be included as part of any funding application.

(f) Property

There are no property implications arising from this report.

(g) Equalities/Socio Economic Impact

Supporting Active Travel is beneficial for public health, and helps to tackle inequalities. Raising the profile of Active Travel choices will also help to improve accessibility for those with mobility disabilities. The provision of new shared use paths when developing the network in Moray, will create better accessibility for wheelchair users.

(h) Climate Change and Biodiversity Impacts

Promoting Active Travel is one of the key actions in the Council's Climate Change Strategy. The Active Travel Strategy and Action Plan can provide a positive impact on the climate through enabling and encouraging alternative modes of travel through Moray. Reduced emissions supports nature recovery and the overall improvement of environments. Where appropriate, new Active Travel infrastructure will seek to provide areas for biodiversity e.g. by provision of rain gardens as part of any surface water management proposals.

(i) Consultations

The Depute Chief Executive (Economy, Environment and Finance), Head of Environmental & Commercial Services, Legal Services Manager, Equal Opportunities Officer, Chief Financial Officer, Committee Services Officer (L Robinson), Strategic Planning Development Manager and Principal Climate Change Strategy Officer have all been consulted and their comments taken into account in this report.

7. CONCLUSIONS

7.1 The ATS annual update provides details of the delivery of Year 1 of the ATS Action Plan.

7.2 There have been many successful new and ongoing projects this past year including the expansion of the Moray Bothy, the return of the Speyside Challenge, development of eight new local Active Travel Masterplans as part of the Local Development Plan review, as well as the delivery of the first Participatory Budgeting Active Travel project.

7.3 Furthermore, a total of 0.5 km has been added to the Active Travel network through our construction projects, and 2 km of cycle paths have been resurfacing and improved.

7.4 A new Active Travel Prioritisation Tool has been developed to assist officers in prioritising schemes and provide supporting information to assist with decisions on which active travel schemes are taken forward for investigation, design and ultimately construction.

Author of Report: Janet MacDonald, Sustainable Travel Officer

Background Papers: [Previous Committee Report 15 November 2022](#) for [Active Travel Strategy and Action Plan](#)

Ref: SPMAN-524642768-977

Moray Council

ACTIVE TRAVEL STRATEGY

**ANNUAL
UPDATE**

2023



moray
council



Contents

Introduction	2
Trends in Data	3
Year 1 Action Plan	7
Funding	12
Activity over 2023	13
CWSR	13
Moray Bothy	14
HITRANS	15
Spey Viaduct NCN1	15
Forres Academy, Roysvale and Burdshaugh	16
Participatory Budgeting	17
Staff Travel Survey	17
Staff Pool Bikes	18
School Engagement	20
Active Travel Masterplans	23
Bike Fest	24
Speyside Challenge	24
Priorities for the year ahead	25
HITRANS Funding	26
School Engagement	26
Bikeability	27
Smart Choices Smarter Places	27

Introduction

Moray's 5 year Active Travel Strategy (ATS) 2022-2027, approved in Nov 2022, sets out a vision to 'create a culture and environment where active travel is embedded within our communities as the automatic and obvious choice for everyday journeys to school, work and leisure by: providing a safe, integrated and accessible network for all.' It also includes a set of six objectives from which an Action Plan has been developed, with the detailed steps that need to be carried out to achieve the objectives.

A Monitoring Plan is an essential part of an ATS and is one of the key requirements outlined in guidance published by Sustrans and Transport Scotland. It is important to ensure an effective monitoring and evaluation framework is in place for assessing progress in delivering the vision and objectives of the Strategy.

Although annual reporting on the Action Plan is managed by the Sustainable Travel officer, delivery of the targets within relies on continual input and partnership working from relevant Moray Council departments, external partners and funding bodies, local businesses and residents to highlight, inform and provide feedback on how improvements can be made.

This first annual report of the strategy presents a summarised overview of progress to date, against the 1st year of the ATS Action Plan, as well as plans for next steps of the strategy.

This report also includes observed cycle and pedestrian data count from January 2022 – December 2022, and an update on both new infrastructure provision and active travel behaviour in Moray.



Trends in Data

Active Travel monitoring is undertaken through a number of various data sources. This includes local sources such as Travel Tracker in Primary schools, Bikeability quarterly stats, staff travel surveys and data from fixed site counters that collect both cycle and pedestrian data. National sources are also assessed at regular intervals such as Scottish Household Survey, Hands Up Scotland Survey, Cycling Scotland's Annual Monitoring update and Scottish Census Survey (as yet there is no relevant data published for 2022). Other programmes delivered under the SCSP programme also provide data on the number of participants or types of journeys made, adding to the overall picture of active travel in Moray.

As mentioned one of the data sources comes from the Scottish Household Survey (SHS) that is used by Cycling Scotland in their [Annual Cycling Monitoring report](#). This report provides trends and context at Local Authority level. This report would normally give good comparison data year on year, however, this has been impacted by the Covid 19 pandemic, and affected the changes to the methods of data collection for a number of the report's data sources. The Covid-19 lockdowns meant the SHS 2020 surveys switched from face-to-face interviews to a telephone survey. As a result of the change in survey mode, the response rate and, therefore sample size, was greatly reduced and there was a noticeable change in the profile of respondents. At that time, there were restrictions in movement, peoples behaviours were impacted and not travelling to and from work. Next year's data will be back to a larger sample size and more representative of current behaviours. Therefore, due to the significant reduction in the SHS sample size, no individual local authority data is available for 2021 to compare with 2022 data. However, data from the 2023 report based on 2022 figures show that 67% of all journeys made in Moray are under 5km. Pre covid figures from 2019 show that this is a big increase in shorter journeys from 52% in 2019.

Cycling Scotland - Annual Cycling Monitoring Report, Moray Trends and Context 2021



Cycling Scotland - Annual Cycling Monitoring Report, Moray Trends and Context 2023

Proportion of journeys under 5km



Households with access to one or more bikes for private use

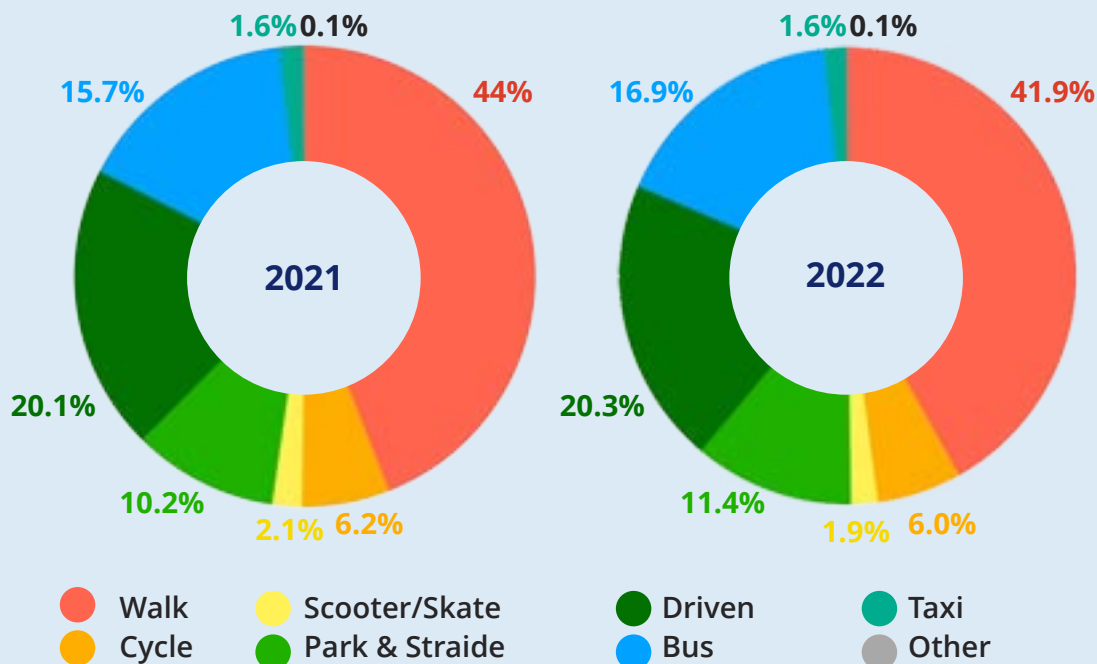


Households with no access to a car for private use



Sustrans 'Hands up Scotland Survey' is the largest national dataset on how children travel to school, and is an Official Statistic in Scotland. The survey is now in its 15th year, and makes it possible to compare and review more than a decade of data on how children travel to school in Moray. Whilst figures for walking have reduced over the last number of years, there has been an increase in cycling, the highest recorded since the survey began in 2008. There has been an obvious upward trend in park and stride from 5.7% in 2008 to 11.4% in 2022. These are easily identifiable as to why there is a slight decrease in walking. The numbers show that overall, all forms of Active Travel are on the increase. Figures during 2020 and 2021 were higher than normal due the impacts of Covid. Bikeability delivery has also increased from 56% in 2019 to 93% in 2022. This supports the HUSS data that cycling numbers in schools are increasing.

How pupils travelled to school - Moray



Fixed count sites within the urban areas of Moray are generally continuing to show an upwards trend in numbers of pedestrians and cyclists. Data from 2020 and 2021 are exceptionally high but this is related to changes in travel patterns and behaviour during the pandemic, and more people being able to work from home. Currently the only reliable data 2022 data can be compared to is from 2019 pre-covid. This data shows that the numbers on these commuting routes are increasing for both walking and cycling.



Elgin - Red Bridge East - West

Year	AADT	Growth D	AADT	Growth D
2018	82	9.33%	353	7.62%
2019	86	4.88%	380	7.65%
2020	131	52.33%	434	14.21%
2021	75	-42.75%	445	2.53%
2022	88	17.33%	400	-10.11%

Elgin - Morryston Playing Fields

Year	AADT	Growth D	AADT	Growth D
2018	36	20%	175	6.06%
2019	35	-2.78%	190	8.57%
2020	81	131.43%	288	51.58%
2021	49	-39.51%	311	7.99%
2022	63	28.57%	318	2.25%

However, counters on routes which people use for leisure purposes have shown a reduction in movements. This reduction is from the high level of use observed during the Covid 19 pandemic. There are a few exceptions to this such as at Fiddich Park and Aberlour where numbers are either the same if not more than during Covid. This can be attributed to the upgrade improvement works along the Speyside Way. However, when comparing to 2019 there is still an upwards trend in Active Travel users on these leisure routes.



Aberlour - Fiddich Park

Year	AADT	Growth D	AADT	Growth D
2019	22		56	
2020	33	50%	70	25%
2021	16	-51.52%	62	-11.43%
2022	34	112.50%	106	70.97%

Aberlour - Sewage

Year	AADT	Growth D	AADT	Growth D
2019	17		92	
2020	33	94.12%	93	1.09%
2021	27	-18.18%	101	8.60%
2022	26	-3.70%	96	-4.95%

Specific data for each counter can be found in Appendices 1 and 2 attached to this report. Where some months are marked with an * this is because of the counters failing, or the data having been corrupted.

All the above data feed into the below overall Council KPI's;

- KPI 1:** Modal share of active travel journeys to education
- KPI 2:** Modal share of active travel journeys to work
- KPI 3:** Number of active travel journeys recorded at fixed site counters
- KPI 4:** Length of new active travel routes developed on:
 - 1) Public Road Network
 - 2) Core Path Network

Year 1 Action Plan

The tasks for year 1 Action Plan were set based on the timescale from the ATS overall 5-year action plan. All tasks committed for completion by Q3 2023 were included in year 1. The progress on these actions is set out below. Further information on all of the actions can be found within the ATS.

The status of progress against each task has been rated using a Traffic Light system. The ratings are defined as follows:

BLUE Target achieved;

GREEN On track for achievement;

AMBER On track for achievement but with some delay or uncertainty;

Action 1 Further develop the Active Travel network

Task	Status of Progress	What was achieved	Lead Partner/organisation/team
A) Identify network of routes, including the identification and integration of the Core Path Network, that connect communities where 'every day' journeys could be made by cycle or foot	Achieved	The network mapping of all adopted roads and crossings has been completed, and will be subject to regular updates. Continuous work is also ongoing to update the core path network. A copy of the mapping exercise has been shared with Transport Scotland.	Moray Council
B) Develop an online system where the public can identify new active travel routes and/or enhancement to existing routes, and promote its use.	Achieved	The online system is now live on the Council website, and is currently in use, supporting the LDP consultations.	Moray Council

Action 2 Develop Active Travel Masterplans for key settlements in Moray

Task	Status of Progress	What was achieved	Lead Partner/organisation/team
A) Identify key settlements based on population and current transport network that would benefit from a coordinated approach to Active Travel infrastructure provision, including cycle parking, based on the 20-minute neighbourhood concept	Achieved	12 settlements all with a population of 1200 or over have been identified to have AT Masterplans. 8 have been delivered in 23/24 alongside the LDP consultations, and the following 4 will take place in the next year. This has been funded through the regional transport partner HITRANS.	Moray Council

Action 4 Encourage and facilitate walking and cycling as leisure and tourist activities to provide benefits to health and local economy

Task	Status of Progress	What was achieved	Lead Partner/organisation/team
A) Continue partnership working with local organisations Outfit Moray, NHS Grampian and Cycling UK Moray to organise events and activities to trial electric bikes, pedal bikes etc. to promote the health benefits of cycling and walking to residents and visitors to the area – Public Perception Survey to be undertaken on a bi-annual basis	On track for achievement	Work is ongoing with all partners on events and activities promoting Active Travel. Three Bike Fests have been held in Elgin, Aberlour and Forres with Outfit Moray and Cycling UK, Police Scotland and along with other partner organisations. The Public perception survey is currently in draft, and is aimed to be shared with the public in Nov 23.	Moray Council

Task	Status of Progress	What was achieved	Lead Partner/organisation/team
B) Develop a community engagement programme to link with national campaigns i.e. Walk to Work Week, Cycle to Work Week and Clean Air Day etc.	On track for achievement with risk of some delay	A community engagement programme is planned for 2024, due to be completed by end of 2023. This will be a manageable events programme for the public, with support from partners such as NHS, Sustrans, HITRANS, Cycling UK etc.	Moray Council

Action 5 Provide new/improved cycle parking/ facilities at key destinations and transport interchanges in Moray

Task	Status of Progress	What was achieved	Lead Partner/organisation/team
B) Determine locations for additional cycle parking at transport interchanges/key destinations, where appropriate in consultation with the landowner and/or surrounding businesses.	Achieved /Ongoing	The Participatory Budgeting trial projects in both Keith and Buckie, where cycle parking needs and locations were identified have now been completed. Through the LDP consultations for AT Masterplans, cycle parking demand in other communities will also be identified.	Moray Council

Action 6 Work with local employers (including Moray Council) and their staff to encourage more walking and cycling to and from work

Task	Status of Progress	What was achieved	Lead Partner/organisation/team
A) Work with local employers to achieve Cycling Scotland’s “Cycle Friendly” employer status.	On track for achievement with risk of some delay	<p>This task had been paused for the update work on the Sustainable Travel website to take priority.</p> <p>However, guidance and updates for employers will be published on the Council website by the end of FY year 23/24.</p>	Moray Council
B) Provide support, guidance and assistance for employers to develop or review their Travel Plan. Cluster organisations and smaller businesses may be targeted for joint travel plans.	On track for achievement with risk of some delay	<p>This task had been paused for the update work on the Sustainable Travel website to take priority.</p> <p>However, guidance and updates for employers will be published on the Council website by the end of FY year 23/24.</p>	Moray Council
F) Encourage a member of Moray Council Senior Management to act as an ‘Active Travel Champion’ to demonstrate Council commitment to Active Travel.	Not commenced yet, rescheduled to Q1 2024		Moray Council

Action 7 Work with students and school pupils, staff and parents to encourage more walking, cycling and scooting to and from school/ further education

Task	Status of Progress	What was achieved	Lead Partner/ organisation/ team
G) Audits of safe routes to school will be carried out for all Moray schools within a 3 mile radius.	Achieved	Safer Route Audits have now been completed at three primary schools, Portknockie, Milnes and Cluny. A further 5 are scheduled for 23/24. This task will require input and support from the schools, and is supported by colleagues at Living Streets. Ongoing work on this programme is subject to external grant funding.	Moray Council

Funding

All of the below projects (excluding the staff travel survey) have been funded externally through various funding streams. Below is a list of the funders and funding amounts so far this year;

<p>Paths for All, SCSP £90,200</p>	<p>HITRANS, Active Travel Improvements £36,000</p>
<p>HITRANS, Path improvement fund £25,000</p>	<p>Cycling Scotland, Bikeability £53,600</p>
<p>Cycling, Walking, Safer Routes, Transport Scotland £616,000</p>	<p>Sustrans, Network Development Team £169,742</p>
<p>Cycling Scotland, Pool Bikes and Bike Shelter £31,500</p>	<p>Places For Everyone, Sustrans £344,000</p>

Activity during 2023

CWSR

The Cycling, Walking, Safer Routes (CWSR) fund is a ring-fenced capital grant from Transport Scotland and was established in 2001 for infrastructure projects. Allocations have been provided on an annual basis in recent years. The allocation for 2022/23 is £612,852, a significant increase on the 2021/22 allocation of £421,000.

The programme of works for this fund during FY 22/23 included the following projects;

Construction Projects -

- Thornhill Road, Elgin - Toucan Crossing
- Morriston Road, Elgin - Toucan Crossing
- Duff Place, Elgin - new footway at Bishopmill Primary School
- High Street (East End), Elgin - Footway widening
- B9010 Main Road, Rafford – Preparatory works for new Footway
- B9040 Forsyth Street, Hopeman - New Footway
- C25E Roseisle – New Footway

Design Projects -

- St Leonards Road, Forres – Traffic Calming
- Victoria Roundabout, Forres, Reallocation of road space
- Grant Drive, Forres – Raised Cycle Crossings
- Morriston Road, Elgin – Raised Cycle Crossings
- Lossie Wynd/ Commerce Street – Improvements to cycle and pedestrian infrastructure along the north and south links through the city centre (Options Appraisal)

There is an understanding that this fund will continue to increase significantly in coming years to align with commitments made for active travel to represent 10% of the Scottish Government's Transport Budget by 2024/25.



Moray Bothy

The Bothy, which is now in its second year, is continuously increasing opportunities for all living in Moray to become involved in walking and cycling for everyday local journeys. In March 2023 the Bothy held the successful launch of the 'Cooper Park Active Travel Hub' that was very well attended with an estimated 150 people engaged. The Hub is now beginning to take form and working well, and is open to the public three afternoons a week.



As well as the launch of the Hub, the bothy has delivered four led rides, nine cycle confidence sessions, five pop up events, two Dr Bike sessions and seven Bike loans. Some of the led rides have taken place with Elgin Youth Café, Asylum Seekers and Spinal Injuries Scotland. The adult cycle training sessions have mainly been offered alongside bike loans. This is a 2- hour session allowing participants to get to know the bikes, maintenance checks, road positioning, riding in traffic, right of way and bike security. This is completed in advance of the bike loan ensuring that loanees are equipped with the skills they need. Bike loans have mainly been done from the Hub in Cooper Park and the Peoplehood container at Buckie. Most now start with a come and try session at one of the locations and if they think it is something they would use a bike loan is arranged.

Below is feedback shared from a participant of the Bike loan scheme;

"As well as the very positive impact on motivating me to cycle more and drive less, my partner, who had not been on a bike for over two years has had his interest in an e-bike rekindled having also borrowed the one I had. Due to age-related health issues, he has been limited him to a one hour walk a day, but the use of the e-bike had him out for 2 x 2-hour cycles in one day and able to go much further than previously which has had an immediate impact on his wellbeing and mental health. He is now making plans to get an E-bike as he sees the many benefits for his health, and it will also mean he can make short journeys by E-bike and not car".

Recruitment of volunteers has been low so far, but this is a priority for the project and a plan for recruitment is currently being developed which is hoped will bring success over the forthcoming project year.

HITRANS

In February 2023 HITRANS funded monitoring counters were installed at Belts Road. The corner of the Belts Road, C19E Scotstoun Hill to Fernyfield Road, was built up during the building of the new roundabout and this has caused a lack of visibility of vehicles coming from the other direction. It is being considered whether or not to close this road off to vehicular traffic, as it is a narrow road currently used as a short cut. This will enable cyclists and pedestrians using the Elgin to Lhanbryde Cycle Path to move freely across the public road. The monitoring equipment will show how all users (ped/ cyclists/vehicles) are interacting, and will inform how any scheme is brought forward and what kind of intervention is required.

In March 2023 HITRANS also funded the purchase of a new 40ft container to support the expansion of the Moray Bothy programme. Previously, the bothy was run without a physical location so was not as easily visible, accessible or centrally located. There are now two shipping containers, based in Cooper Park Elgin, which allows the public better access to come borrow and try out bikes free of charge.

Spey Viaduct NCN1

In January 2023, funding of £98,131 was secured through the Sustrans Network Development team to do upgrade works along the NCN1 from Garmouth car park to the Spey viaduct. This is a popular walking and cycling route for both residents and visitors, and this section of the route had been highlighted as a hazard and danger for both pedestrians and cyclists through the ATS consultation. The total length of path resurfaced was 688m. This also included the removal of tree roots. There will be two additional phases to this project where the path will continue to be resurfaced and any tree roots



removed. This will be split into sections; from the Viaduct to the junction with the Speyside Way route (phase 2) which is 302m, and finally from the Speyside Way to the B9104 (phase 3), which is 343m. Phase 2 works began mid October and is hoped to be completed by the Christmas holidays. This is again fully funded by Sustrans costing £71,742, and Phase 3 will aim to be completed before Q1 of FY 24/25 at a cost of £54,156.

Forres Academy Roysvale and Burdshaugh

A number of different studies (Forres 2020 Vision; Forres Active Travel Audit (Feb 2012); Moray Council Active Travel Route Feasibility Study for Forres (March 2019) and Moray Local Development Plan 2020) identified routes around Forres which would enhance the active travel network. The Forres – Forres Academy, Roysvale and Burdshaugh improvement scheme was identified by analysing where people were walking and cycling from to get to the schools in Forres.

The footbridge across the Burn of Mosset was replaced by Springfield Properties in early 2020, as part of their planning obligations to provide a suitable link to Forres Academy from new developments in the south of Forres. An opportunity arose for the Council to further enhance the route to Forres Academy and Applegrove School through a funding application to Sustrans Places for Everyone grant fund. A total of £422,000 was awarded to design, develop and construct new cycle track and footways linking Applegrove primary and Forres Academy with residential areas through the south and west of Forres.

Construction completed in July 2023 and has further joined up the active travel network in Forres, as the shared use path now provides a safer direct link to both Forres Academy and Applegrove Primary from the surrounding residential areas encouraging pupils to walk or cycle to the school. The shared use path also links the community and residents of surrounding areas to The Forres Swimming Pool and fitness centre, which thereby encouraging a modal shift to active travel journeys.



Visualisation of how scheme would look



Completed scheme

Participatory Budgeting

Participatory Budgeting (PB) is a way for people to directly vote on how money should be spent. During 2023/24 a pilot project was trialled in Keith and Buckie using Participatory Budgeting to expand the community network related to active travel, and allocate the budget available for cycle parking and repair station infrastructure. The reason for choosing this focus was based on public and stakeholder feedback from the draft Active Travel Strategy (ATS), received March 2022). Cycle parking and repair station infrastructure emerged as a priority in the feedback, and would be deliverable within this year's budget.

The overall budget for this pilot project was £50k, and was split equally between both communities at £25k each. A local stakeholder group was set up for each area and consultation events with the public took place, both in person and online, throughout February – May. The Buckie PB was completed following the final public votes on preferred cycle parking and location. A tender process was undertaken and Broxap were awarded the contract. Installation of all cycle parking and repair stations in Buckie are due to begin works mid-November and completed by the end of the month.

The pilot project in Keith is also currently in progress, and works have now gone out to tender. Due to delivery and installation timescales, work is not expected to take place until January 2024.

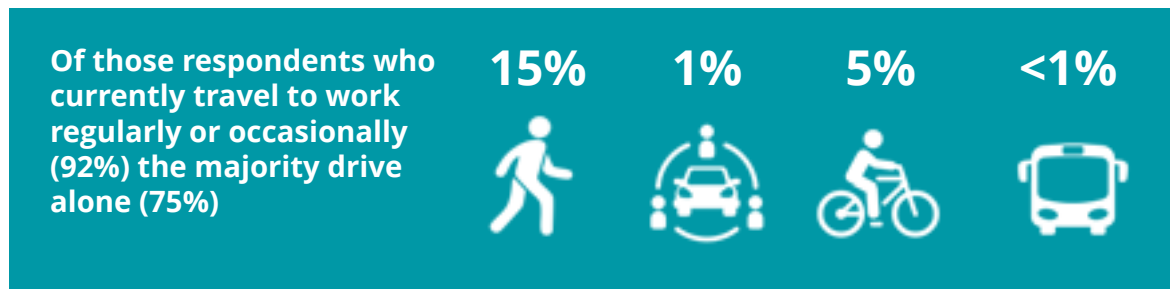
Staff Travel Survey

As part of Moray Council Staff Travel Plan, employees were invited to complete a travel survey throughout May 2023. The Council Travel Plan was renewed in 2021 and the first staff travel survey was undertaken to see how the COVID-19 pandemic changed the way staff travel to/from work and on council business and how they may travel once all restrictions were lifted. As part of the ongoing monitoring and review programme and with seeing a return to office and hybrid based working, a repeat staff travel survey was held for all employees based at HQ and Annexe. This enables a greater understanding of how staff travel to work, and when undertaking council business, as well as finding out what would make alternative options more attractive.

In total, 237 staff responded to the survey. 167 respondents were based at Moray Council Headquarters and/or the HQ Annexe, which provides a survey response rate for the two locations of 20%.



Key findings from the survey were:



The main reasons for the choice of respondents' mode of travel are convenience/flexibility; distance between home and work; and lack of viable travel alternatives.

The data will be used to identify any new opportunities that will benefit staff behaviours. It will also show trends in travel, commuting behaviour and is a good tool for measuring and comparing results when carried out on a regular basis. The data will also be shared with colleagues managing the 'Smarter Working' project to help deliver excellent services and support flexible and hybrid working.

Staff Pool Bikes

The Climate Change and Active Travel Strategy, and Council Travel Plan have all set targets and actions to increase cycling/walking rates and reduce CO2 emissions. As staff are now largely either hybrid or fully office working, many staff have already reduced the amount of travel to work. It was a good time to encourage employees to make those short business trips by bike to reduce car journeys, as well as improving health and well-being. Whilst there are some longer distance journeys being made for business purposes with pool cars, there a number of trips that are under 5km that can be swapped to bike.

In late 2022 an application was made to Cycling Scotland's 'Cycle friendly employer' fund for grant funding towards a new fleet of staff pool bikes. The old feet was over 6 years old and in need of replacing to try and encourage more engagement and use of the pool bike scheme. Once the grant was awarded two new electric bikes and six standard push bikes were purchased, as well as a new bike shelter in Jan 2023 to accommodate them. The new bikes have waterproof panniers, locks, helmets, and lights provided to assist staff in their journeys



The Launch of the pool bikes took place on Wednesday 17th May, and was well attended by staff and councillors. The launch included a staff led ride, as well as the opportunity to find out how to use the ebikes and a general Q&A session.

To achieve an increase in cycling, there are plans to provide further staff led rides to give staff knowledge of local cycling routes, offer cycle confidence sessions (1:1 or group sessions) and offer Dr Bike checks to provide staff with good maintenance skills and knowledge to use the bikes.

Staff make approximately 2,500 miles for business travel every month by car. The aim is to replace between 2.5% and 5% of those miles to cycling through the pool bike scheme. Ongoing monitoring and evaluation will take place bi-annually of the uptake of the pool bike scheme.

17
MAY

STAFF
POOL
BIKE
LAUNCH

12-2PM
councillors carpark

Come along and see our new fleet of pool bikes, including ebikes, ready to use for all your short business trips.

12 - 1pm - Q&A
1 - 2pm Led staff ride

GET ON YER BIKE!

For more information, please contact
janet.macdonald@moray.gov.uk



School Engagement

Living Streets Travel Tracker Programme

This is the eighth year that WOW – The year-round walk to school challenge and the WOW Travel Tracker have been used in primary schools across Moray Council. By the end of June 2023, there were 20 schools in Moray registered in the WOW programme with 19 tracking at over 10% engagement. Two new schools have joined the programme during the year, making it the most successful year of the programme so far. This year saw 3980 children engaged in the project, 106,272 sustainable and active travel journeys made as well as 2031 children choosing to walk or cycle to school.

2021 - 22 17 schools registered	2022 - 23 20 schools registered	
3674 1800 regularly engaged	3980 2308 regularly engaged	The number of children engaged in the project
87,043 journeys counting towards badges for the period	106,272 journeys counting towards badges for the period	The number of sustainable and active travel journeys
1% increase	0% Change	Modal shift compared to previous year
1584 children	2031 children	The number of people choosing to walk or cycle

This year the Living Streets school coordinator has continued to support established and newly engaged schools to use the Travel Tracker through a variety of means.

These include:

- Strider visits
- School assemblies
- Parental engagement at schools
- Walk to School Week resources and support.
- School route audit activities
- Active travel zone maps

The Living Streets mascot, Strider, has visited seven schools in Moray this year. The visits included Moray Council’s climate change event at Milne’s Primary school; assemblies at Lhanbryde Primary and Bishopmill Primary; school gate events, including road safety week, at Linkwood Primary, New Elgin Primary and Mosstodloch Primary; and line dancing at Findochty Primary, Bishopmill Primary and at the launch of the Cooper Park Active Travel Hub.



Park Smart

Park Smart is a Road Safety and Active Travel initiative that aims to reduce congestion and improve safety at the school gate. The purpose of Park Smart is to get parents to think about their behaviour whilst actively promoting walking to school or park and stride as the easier, safer and most stress-free option. School gate parking is an area of concern across many schools in Moray that affects the safety and well-being of both Adult and Child pedestrians and cyclists alike by blocking sight lines and increased pollution.

Park Smart is a flexible initiative that can be run on a cyclical basis i.e. re-run when or if congestion problems return, and is supported by colleagues at Police Scotland. The programme currently runs on a three-week basis and covers raising awareness, enforcement and then evaluation on the final week.

This year Park Smart has run successfully at three separate schools, Bishopmill, Greenwards and Mosstodloch. Each school produces a short evaluation report with the findings of the initiative, and pledges to develop a School Travel Plan upon completion. Each of the schools reported a reduction in congestion around the school gates, with some being significantly more than others. However, all reported an increase in active trips and a decrease in non-active trips in the immediate period following the initiative.

Safe Route Audits

Living Streets staff, along with school staff and pupils, completed School Route Audits at three schools, Cluny, Milne’s and Portknockie Primary. The Living Streets School Route Audit (SRA) methodology is a way of effectively involving pupils, parents, and other community stakeholders in the process of evaluating the quality of the walking environment around schools. SRAs explore the walking routes to schools from the viewpoint of current and prospective users. With Living Streets staff acting as facilitators, the groups considered different audit categories including crossing points, facilities and signage, traffic issues, places to play and socialise and footway conditions. The findings from these audits will help feed into future infrastructure improvements around schools, and help to inform the Cycling, Walking Safer Routes (CWSR) spend.

Bikeability

Bikeability Scotland is the national cycle training programme for schoolchildren. It is designed to give children the skills and confidence they need to cycle safely on the roads, and to encourage them to carry on cycling into adulthood. Just like learning to swim, learning to cycle safely is an essential life skill.

Outfit Moray delivers Bikeability across schools in Moray on behalf of Moray Council, through annual funding provided by Cycling Scotland. Without this funding it would not be possible to deliver this essential skill to pupils across Moray. However, with the increasing costs yearly of resources, transport and delivery, Outfit Moray absorbed additional costs in both 21/22 and 22/23 to enable delivery. In the long term, this is not sustainable if it is expected to achieve the ATS target of 95% of all schools delivering L2 Bikeability by 2027.

	21/22	22/23
Total Schools	30	31
Total pupils	955	940

In 22/23 Bikeability level 2 was delivered to 31 of the 45 primary schools, engaging with a total of 940 pupils. This is slightly down on last year, despite still being on target), but is a result of a reduction in the number of funded co-ordinator hours for Outfit Moray, and at times a reduction and lack of volunteers/ school staff, willing or allowed, to support the programme. It is essential that schools support delivery of Bikeability to reduce costs so targets can be achieved.

Cycle Parking Infrastructure

Following a successful application to Cycling Scotland for cycle parking infrastructure for Speyside High School, an Anti-Vandal Wardale Cycle Shelter was purchased and installed by Broxap. The shelter has a capacity for up to 14 cycles, and as there was previously no cycle parking facility at the school, this was a barrier impacting on young people being able to cycle to and from school. As well as serving the school, the cycle parking will also be available to users of the Speyside Community centre that is located on the same campus.

School Travel Plans

Schools across Moray are encouraged to develop their own School Travel Plan (STP). A STP can include a range of measures. Raising awareness is often one of the main things that this can do. This might mean raising awareness of road safety, the benefits of active travel or how transport impacts the environment. The need for travel plans has arisen due to growing concerns over:

- Increasing congestion associated with the 'school run'.
- Pupil health concerns and lack of exercise.
- Children's reduced opportunities to gain important road sense and independence.
- Road safety issues and concerns partly generated by school run related traffic.

Currently there are four schools developing their Travel Plan, but no school has an up to date Travel Plan document. This is not a mandatory requirement, and therefore schools do not always have the time or resource available, so do not see this as a priority task. In order to address the concerns above it is important that schools support the development of a School Travel Plan.

Active Travel Masterplans

Work on the review of the Moray Local Development Plan started this year, and is expected to be adopted in 2027. The LDP will shape how land and buildings are used over the next 10-20 years, which affects people's lives including work, travel, and access to open space, play and health. As part of the LDP, work has begun alongside colleagues in planning to develop local Active Travel Masterplans through community engagement. Since March 23, eight community events have been held in Forres, Aberlour, Dufftown, Elgin, Lossie, Fochabers, Keith and Buckie. Through these events, feedback has been gathered from the public on where there are missing links in the active travel network and where improvements can be made. This includes new routes, improvements on existing routes, cycle parking infrastructure and any behaviour change ideas. The 2nd phase of this project will be drafting up all the information received and putting together a short masterplan document for each community.



Bike Fest

As part of the development of the programme of community events, this year three 'Bike Fests' were held alongside the Moray Bothy and delivered by Cycling UK. They were delivered in Elgin, Forres and Aberlour. Outfit Moray, Bike Revolution, Tyred N Cranky and Police Scotland

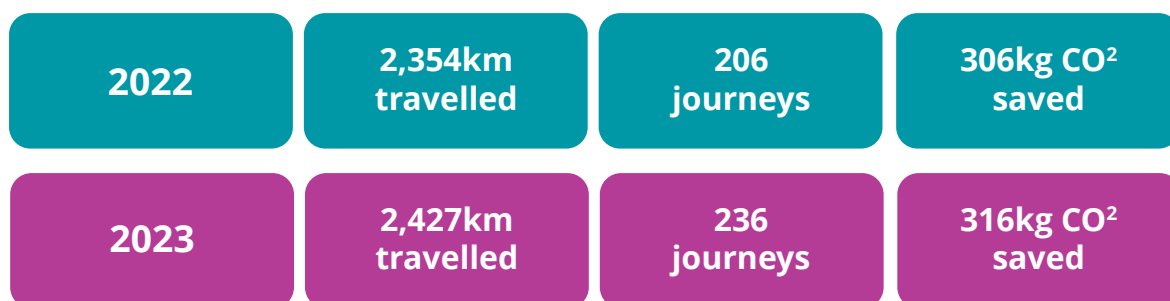
supported the events. The events had Dr Bike sessions, a skills course, led rides, ebike try-outs and the opportunity to register your bike for free through 'Bike Registration' with Police Scotland. The events were well attended and engaged with over 400 people.



Speyside Challenge

Following on from the success of last year's Speyside Challenge, it returned for the second time this September. The challenge is about encouraging users of the Speyside Way to take up the challenge throughout the whole of September, and promotion of the Speyside Low Carbon Hub. The challenge itself is to log the most distance covered, or the most journeys, by foot or bike, on the popular route that is now part of the Speyside Low Carbon Hub, to be in with a chance of winning one of eight prizes. The challenge is free to join and allows participants to challenge themselves personally or compete within a workplace.

This year saw participants logging a total of 2,427kms, almost 100kms more than last year. And a total of 236 journeys were recorded, with 35 challengers involved. The challenge helps to promote an important active travel route that can reduce carbon emissions from daily travel.



There were twelve prize-winners all in receipt of Moray Loves Local gift vouchers. See all results at www.speysidechallenge.com

Priorities for the Year Ahead

The Scottish Government announced increased funding for active travel in its draft budget proposal for 2023-24, with almost £190m allocated for active travel. It was also agreed that at least £320m or 10% of the total transport budget would be allocated to Active Travel by 2024-25.

This year saw the introduction of Transport Scotland's new Active Travel Transformation Fund. The Active Travel Transformation Fund has a budget of £20million.

The 2023/24 Transformation Fund included funding available to partners:

- to support the delivery of eligible construction-ready AT schemes in 2023/24, and as a secondary aim
- to support those unsuccessful in applying for additional budget to deliver construction-ready projects in 2023/24 to progress towards successful applications in future years, helping to ensure that a wider pipeline of projects is being developed ahead of the budget commitment for 2024/25.

As the funding for 23/24 was prioritising construction and 'shovel ready' projects, a decision was taken to not take forward an application this year. There are currently a number of completed designs for medium size projects ready to take forward, so work is ongoing in putting together pipeline projects for the coming years through this fund. Below is a list of some of the larger pipeline projects, which may be constructed through this new funding stream in future years;

- Forres, Market Street roundabout - Road Space reallocation to pedestrians and cyclists
- Dufftown, Maltkiln Bridge - New footbridge on existing walking route, so pedestrians do not have to walk on the carriageway.
- Lossiemouth, Coularbank Road - Safety, convenience and connecting communities: from North Covesea Terrace through to the high school there is no proper connection in terms of a safe cycle and pedestrian path. Two options: a segregated track parallel to Coularbank Road on its south flank, or widening South Covesea Terrace to allow for adding a wide enough shared path, which then bends south to the high school.

The newly developed **Active Travel Prioritisation Tool** will also be key in future years when considering any new active travel infrastructure schemes or interventions, such as cycle lanes, shared pathways and controlled crossings. Schemes taken forward will be subject to the scoring outcome from the tool as well as budget availability and officer capacity.

The CWSR grant fund for 23/24 will be split across six infrastructure projects in 23/24 and five design projects. These include;

Construction

- Lang Walk, Elgin – Footway widening
- Coularbank Road, Lossiemouth - Toucan crossing
- Fochabers, Pedestrian Island upgrades
- B9010, Rafford – New Footway
- C225E, Roseisle – New Footway
- War memorial, Garmouth – New Footway

Design

- Victoria roundabout and St Catherines Road, Forres – Reallocation of roadspace
- St Leonards Road, Forres – Build out to assist pedestrians crossing the road
- Coularbank Road, Lossiemouth – Cycle track design options
- Barhill Road/ Golfview Drive, Buckie – Road spaces reallocation
- Linkwood Road, Elgin – Pedestrian island

Some of the work on these projects is likely to continue into financial year 2024/25.

HITRANS Funding

Through HITRANS funding for 23/24 it is planned to make improvements on an active travel route on Turner Street, Keith linking to the hospital. There are concerns of safety on this route due to anti-social behaviour and a lack of lighting. Therefore, new LED lighting will be installed along this section to improve safety of pedestrians. Completion of the Active Travel Masterplans for all the communities consulted with through the LDP review is planned for the end of FY 23/24.

A new path improvement fund has become available through Transport Scotland, administered by HITRANS which will help to improve existing local paths within and between communities, improving the usability and accessibility of paths for more people. An application was successful in securing £25,000 for 23/24 and through this fund both the Alexandra Road underpass in Elgin, and an 800m section of the Elgin – Lossie cycle path near Spynie Woods will be resurfaced. The Alexandra Road path is a busy Active Travel route used by both pedestrians and cyclists to access public transport connections at Elgin Bus Station. It also allows the public to avoid crossing the A96 to access the town centre. This will make the route suitable for wheelchair users, pushchairs, and less able users. The Elgin – Lossie cycle track is a popular commuting route linking two communities, giving the public access to jobs and public transport connections. Improving this section will make the path more accessible to more people for walking, wheeling and cycling.

School Engagement

Support for nineteen primary schools in Moray will be available to participate in WOW for the 2023/24 session. In addition, it is planned to carry out five school route audits, as well as developing seven active travel zone leaflets, and running the Park Smart initiative at four schools during the 2023/24 session.

In addition, this year one secondary school will be supported with a 1-day event focussing on S1 and S2 pupils. This will take place in May 2024 during senior pupils' exam leave. Information will be sent to a number of secondary schools to gauge interest in participating.

Bikeability

For the school year 23/24, a successful application was made to Cycling Scotland to continue to deliver Bikeability level 2 across schools in Moray. Despite a reduction by a third in the budget for Bikeability, an award of £57,576 was received, £4,000 more than 22/23. This will allow delivery of Level 2 to 35 primary schools across Moray and engagement with over 875 pupils.

Smarter Choices Smarter Places (SCSP)

Moray Council will continue to grow the wide programme of activities that provides opportunities for sustainable and active travel for all. The programme for 23/24 will offer a variety of schemes to target different population groups. This year will again see the continued use of Travel Tracker/WoW in schools, delivered in partnership with Living Streets. It is also planned to work directly with whole school communities and local partners such as Outfit Moray, as well Moray Councils Climate Change team, to roll out further active and sustainable travel activities and events such as Bike Doctor sessions delivered alongside the Bikeability programme, as well as school events and assemblies that promote Active Travel. Additional events will be held to expand the 'Moray Bothy Project' will be delivered by Cycling UK, where the Bothy bikes will be available for use in other communities across Moray. Continued promotion for the Council's Demand Responsive Transport bus service to run a Saturday service operating in the Forres area will be ongoing to encourage use of sustainable transport in rural Moray. These initiatives will result in a measurable increase in the number of active and sustainable travel journeys made, where walking, cycling and bus usage is a mode of choice for local journeys across Moray.







REPORT TO: ECONOMIC DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE ON 14 NOVEMBER 2023

SUBJECT: ROAD SAFETY PLAN TO 2030

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

1. REASON FOR REPORT

- 1.1 To seek approval of the Committee for the draft Moray Road Safety Plan to 2030 to be the subject of further stakeholder consultation and inform the committee of the outcome of investigation of reported injury accidents on the A98 Fochabers to Aberdeenshire boundary road.
- 1.2 This report is submitted to Committee in terms of Section III (F) (15) the Council's Scheme of Administration relating to the duty of the Council as Roads Authority.

2. RECOMMENDATION

It is recommended that Committee:

- i) approves the draft Road Safety Plan to 2030 attached as APPENDIX 1 for consultation with stakeholders and;**
- ii) notes the outcome of the investigation of reported injury accidents on the A98 over the ten year period 2013 to 2022.**

3. BACKGROUND

- 3.1 There have been six previous Road Safety Plans prepared for Moray, the most recent being published in 2018 and covering the period 2018 to 2022 starting in the New Year. The Joint Community Council will be included in this consultation as one proposed action is to work jointly with Police Scotland to develop community road safety champions who would become the focal point for engagement and the dissemination of road safety information.
- 3.2 In Moray the trend in accident and casualty data is generally downwards, with some exceptions. It is the random nature of road accidents along with events such as weather, Covid 19, large scale sporting and entertainment events and changing travel patterns which all contribute to how many people are injured on our roads.

3.3 The draft Plan demonstrates that overall injury accident rates in Moray remain significantly lower than the rates for the whole of Scotland. Furthermore, in Scotland as a whole the majority of injury accidents occur on the urban road network, whereas in Moray (in keeping with other similar rural authorities) the majority of injury accidents occur on rural roads, as demonstrated in the table below:

Percentage of casualties by Built up or Non-built up road 2014-2021			
	Any speed limit of 40 mph or under	50 or 60 mph speed limit	70 mph speed limit
Moray	29%	71%	0%
Scotland	60%	33%	7%

3.4 It should be noted that across Scotland the five year injury accident rates have been affected by the changes in travel patterns during 2020 and 2021 associated with the Covid-19 pandemic. When these years are included in the analysis of the reported injury accidents, the results show good progress towards the targets set in the national Road Safety Framework to 2030. However the most recent accident data from 2022 shows an increase in rates as travel behaviours return to those experienced prior to the pandemic.

3.5 The draft Road Safety Plan highlights the following areas where actions could be taken to work towards the target injury accident rates as set in the Roads Framework to 2030:

- The prevalence of accidents on rural roads;
- Ongoing maintenance of the road network;
- Driver behaviour and speed management;
- On-going education of road users; and
- Provision of infrastructure for vulnerable road users (cyclists, pedestrians etc).

Rural Roads and the Maintenance of the Road Network

3.6 There are generally no discernible ‘clusters’ of accidents on the rural roads in Moray. Therefore maintenance of rural roads is the primary means of mitigating against the risk and severity of accidents on our rural roads as opposed to site specific engineering interventions. Ensuring that the condition of road surfaces does not adversely deteriorate, that road signage, markings and cats eyes are visible to road users, surface water is managed and road side vegetation is cut back can all have positive consequences on the number and severity of accidents when carried out effectively.

Driver behaviour, speed management and On-going education of road users

3.7 Every road user has a responsibility to ensure that they are competent, paying full attention to the road ahead and the task in hand, adapting to the conditions, travelling at appropriate speeds, are not impaired by alcohol or drugs (including prescribed medications), are not distracted by in-vehicle technology and are giving sufficient room to other road users, no matter what

their mode of travel. There are various national road safety campaigns which deliver targeted messaging on safe road use.

- 3.8 The setting of speed limits is determined using national guidance, which takes into consideration the roadside environment and how this will be viewed by a driver. Where there is more roadside activity and therefore a greater likelihood of vehicles joining a road at a junction, pedestrians crossing a road, cyclists using the carriageway, a driver will perceive a greater level of 'risk' and is more likely to be travelling at a lower speed.
- 3.9 The enforcement of speed limits is carried out by Police Scotland and Safety Cameras Scotland. Enforcement is focussed at locations where there is evidence of a significant number of vehicles are travelling at excessive and/or at locations where there is a history of injury accidents where excessive speed has been noted as a contributing factor. These locations tend to be on rural sections of road. The draft Road Safety Plan includes an action to continue to support the Safety Camera programme.
- 3.10 The delivery of road safety education would be through the sharing of road safety messages from national campaigns and working with our partners to deliver specific campaigns and activities. It is also proposed to seek local community Road Safety Champions through the training of volunteers from Community Councils so they understand road safety and can disseminate information to the wider community. A similar approach to developing Road Safety Champions could be embedded within schools and other education settings.
- 3.11 Continuation of the existing relationships and joint working with Police Scotland to share information and data, along with areas of concern raised by members of the public where there is a perception of excessive vehicle speeds, anti-social driving etc. will support education campaigns and the proposed introduction of community Road Safety Champions.

Provision of Infrastructure for Vulnerable Road Users

- 3.12 The number of injury accidents reported in Moray which involve a vulnerable road user (pedestrian, cyclist, horse rider etc.) remains significantly lower than Scotland as a whole. However National Transport Strategy 2, supported by funding provided by Scottish Government seeks to increase the number of everyday journeys undertaken by foot and cycle and through wheeling. The provision of segregated infrastructure for these user groups reduces the risk of injury accidents and in turn, increases the likelihood that people will choose to travel by those modes of transport.
- 3.13 The safety of these vulnerable users groups will be a key consideration in the development of proposals for new/improved active travel infrastructure, in particular users with impaired mobility and pedestrians. The plan has been the subject of an Integrated Impact Assessment (**APPENDIX 2**).

- 3.14 At present the draft Road Safety Plan to 2030 is awaiting completion of infographics and revisions to the layout of the draft Plan. After the layout has been completed, consultation with stakeholders involved in the development of the draft plan will take place, along with consultation with the Joint Community Council.
- 3.15 The final approved Plan will be published on the Council website and used to support applications to the Scottish Government's Road Safety Improvement Fund. The plan will be subject to a mid-term review in 2027 to assess progress against national targets and to see where joint working has been successful/could be enhanced

4. A98 FOCHABERS TO CULLEN ROAD – REPORTED ACCIDENTS

- 4.1 Concerns have been raised regarding the number of reported accidents on the A98 Fochabers to Cullen Road (see Question raised at Moray Council committee on 28 September 2022, para 25 of the minute refers). The A98 connects to the A96 (Trunk Road) at Fochabers and passes through the coastal plain and into Aberdeenshire. The road is a strategic route which carries traffic accessing the harbours, distilleries and bringing goods and services into the area. It is a former Trunk Road and is therefore designed to a high standard, with ease of movement being the priority. The roadside environment generally has wide verges, good forward sightlines and appropriate warning signage and, where necessary, vehicle restraint systems. However on certain sections of the road there are a series of side road junctions and individual property accesses.
- 4.2 The draft Road Safety Plan (see table on page 22) sets out the accident rates per kilometre per year for the A class roads in Moray, including the A98 and the rate for similar roads A class roads for the whole of Scotland for the period.
- 4.3 Further information, including a summary of the reported injury accidents on the A98 between Fochabers and the Aberdeenshire boundary has been uploaded to CMIS along with the agenda, as an additional meeting document. The number of accidents reported over the ten year period from 2013 to 2022 is too low to infer any statistical significance or discernible pattern.
- 4.4 As indicated in paragraph 3.12, ensuring the roads are well maintained can reduce the numbers and severity of accidents. The A98 is a strategic road which on its eastern section carries some 9,000 vehicles per day and therefore should be prioritised in terms of ensuring that road markings and signage are in good condition, surfaces offer good skid resistance and good visibility is provided through the control of roadside vegetation. In terms of providing good visibility, it is also important that individual property accesses and private roads have good visibility in both directions and that obstructions out with the roadside verge are removed.

- 4.5 Finally, concerns have been raised regarding the speed of traffic using the A98, in particular where it passes through Arradoul. Within Arradoul there is a permanent traffic counter which also measures vehicle speeds. Observed speeds from this counter show that within the 50mph speed limit in Arradoul average vehicle speeds are below the speed limit. It is however acknowledged that there is a small number of drivers who travel at excessive vehicle speeds on the A98. The Scottish Road Safety Camera Partnership and has three sites on the A98, at Slackend, near Broadley and near Carnoch Farm, which seek to address this driver behaviour through speed enforcement and education.

5. **SUMMARY OF IMPLICATIONS**

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

The key policy documents which are relevant to Road Safety are the LOIP September 2021, the Moray Corporate Plan 2024 and the Moray Economic Strategy.

(b) Policy and Legal

Council has a duty under Section 39 of the Road Traffic Act 1988 to prepare and carry out a programme of measures designed to promote road safety.

(c) Financial implications

There are no financial implications arising from this report. However revenue budgets for the maintenance of road safety measures such as road markings, cats' eyes and road signs have reduced since approval of the last Road Safety Plan. The allocation of revenue and capital budget is a matter for corporate prioritisation in the budget setting process, and applications for external funding are made wherever possible.

(d) Risk Implications

There are no new risk implications arising from this report.

(e) Staffing Implications

There are no staffing implications as this process forms part of existing duties. However any reduction in staff resources will have an impact on the ability to deliver the plan.

(f) Property

There are no property implications arising from this report.

(g) Equalities/Socio Economic Impact

An Integrated Impact Assessment has been undertaken and no negative impacts on any protected groups were found. An action in the Road Safety is to provide active travel infrastructure which would be utilised by users with protected characteristics (Disability and Age). An individual Equalities Impact Assessment will be undertaken as individual schemes are developed to seek to maximise the benefits of each scheme.

(h) Climate Change and Biodiversity Impacts

An action in the Road Safety is to provide active travel infrastructure. Promoting Active Travel is one of the key actions in the Council's Climate Change Strategy. Provision of dedicated active travel infrastructure can provide a positive impact on the climate through enabling and encouraging alternative modes of travel through Moray. Reduced emissions supports nature recovery and the overall improvement of environments.

(i) Consultations

Police Scotland, Scottish Fire and Rescue Services, Transport Scotland, Amey Limited, North Safety Camera Unit, the Scottish Ambulance Service, NHS Grampian, Moray Council Education and Environmental Health officers have been consulted and their comments incorporated in the plan.

The Depute Chief Executive (Economy, Environment & Finance), Head of Environmental and Commercial Services, Legal Services Manager, Chief Financial Officer, Equalities Officer and Committee Services Officer (L Robinson) have been consulted and any comments taken into consideration.

6. CONCLUSION

- 6.1 The draft Moray Road Safety Plan covers the period up to 2030, when it is anticipated that the next Scottish Road Safety Framework to 2040 will have been published.**
- 6.2 The draft plan takes into account the Safe System approach to Road Safety which was introduced in the Scottish Road Safety Framework to 2030. The draft Plan also promotes joint working with neighbouring local authorities and other public sector bodies.**
- 6.3 Available accident data up to 2022 has been reviewed and presented in the draft Road Safety Plan. The review shows downward trends in the number of accidents and a reduction in the number of people injured or killed.**
- 6.4 Accident rates in Moray remain significantly lower than rates across Scotland, in particular the rates involving pedestrians and cyclists. The trend for accidents across Scotland is for more accidents to occur in the urban environment as opposed to on rural roads. However in Moray the majority of accidents occur on rural roads.**
- 6.5 There are no discernible clusters of injury accidents in Moray. However the on-going maintenance of road markings, cats' eyes and roads signage, the management of surface water and the cutting back of vegetation on rural roads can all contribute to keeping accident rates low. Any requests for capital funding will be made through the capital planning process to develop and implement road safety schemes identified during the plan period. Applications will be made to the Road**

Safety Improvement Fund for any improvement schemes which meet the fund criteria.

- 6.6 Stakeholder consultation will take place for 8 weeks, after which the updated Road Safety Plan will be reported to this committee. It is proposed to review the plan mid- term (2027) against the national targets and to see where joint working has been successful/could be enhanced.**
- 6.7 A review of reported injury accidents occurring on the A98 Fochabers to Cullen road has been undertaken for the period 2013 to 2022. The results of this review shows no discernible patterns or clusters of reported accidents, no requirement to reduce the speed limit in Arradoul and no site specific mitigation measures.**

Author of Report: Elaine Penny, Engineer (Traffic)
Background Papers: Scotland's Road Safety Framework to 2030
Ref: SPMAN-524642768-980

NOTE: Awaiting Infographics and layout review.

Moray Road Safety Plan to 2030

Table of Contents

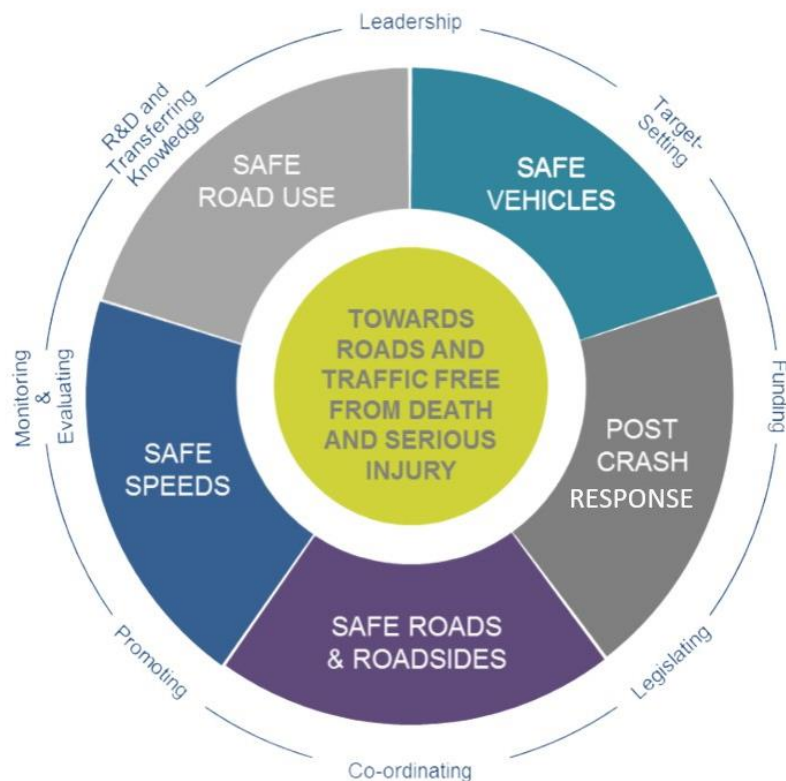
Executive Summary	1
Introduction	5
Strategic Partnerships and Frameworks	8
Scotland's Road Safety Framework.....	8
Local Partnership Forum North.....	10
Road Safety North East Scotland (RSNES).....	10
Local and Regional Policies and Context	13
Accidents in Moray	15
Accidents and casualties	15
Casualties in Built up versus Non-built up areas.....	18
Casualties by home residence	21
Risk by road type	22
Casualties by road user type	24
Age (Pre, young and older drivers)	24
The Cost of Accidents.....	25
Issues and Actions	27
Issues	28
Safe Road Use	28
Safe Vehicles.....	32
Safe Speeds	32
Safe Roads and Roadsides	34
Post-Crash Response.....	35
What we are going to do	37
Future Targets	40
Glossary of Terms	41
Organisations Involved	42

Executive Summary

This Moray Road Safety Plan covers the period up to 2030, when it is anticipated that the next Scottish Road Safety Framework to 2040 will have been published.

The Plan takes into account the Safe System approach to Road Safety which was introduced in the Scottish Road Safety Framework to 2030 (published in 2021).

Safe System/Vision Zero has a long-term goal for a road traffic system which is eventually free from death and serious injury. It involves an important paradigm shift from trying to prevent all collisions to preventing death and mitigating serious injury in road traffic collisions, a problem which is largely preventable based on current knowledge.



Source: Loughborough University Design School Safe System Course, 2017, with PACTS modifications, 2022

Available accident data up to 2022 has been reviewed and is presented in the plan. The Scottish Road Safety Framework sets the baseline period which all local authorities are required to use in their Road Safety Plans. Analysis of the accident data shows that trends are downward with a 59% reduction in the number of accidents between the baselines for the previous plan (2004-2008) and this plan (2014-18), with a consequent reduction in the number of people injured by 57%. The same figure for the whole of Scotland is 40%.

The biggest reduction is in slight injuries, which could be due to underreporting as a result of changes to data collected after Police Scotland's formation in April 2013. There is, however, also a 31% reduction in the number of people killed. This is likely due to a number of factors including better in car safety, medical attention post-crash and engineering improvements to prevent the accident happening in the first place. The incidence of serious injuries has remained broadly similar.

The previous 5 years figures (2018-22) have been significantly affected by COVID19 travel restrictions with 2020 and 2021 recording the lowest ever casualty figures across Scotland. In 2022, across Scotland, apart from fatalities, the figures are still lower than they were prior to the pandemic.

However whilst the overall number of reported accidents is low compared to the rest of Scotland, in Moray over 70% of casualties are injured on non-built up roads (rural roads) compared to just a third of casualties for Scotland as a whole. It is therefore important to consider the relative risk, rurality and specific characteristics of injury accidents in Moray when developing interventions, as opposed to following the Scotland wide approach.

There is no discernible pattern or cluster of reported accidents on the rural roads. Therefore rather than focussing on specific engineering interventions at a particular location, it is recommended to continue to view our rural routes as a whole and look to ensuring that they remain fit for purpose with surfacing and road markings in good condition, signage being clear and not obstructed by vegetation and, where required, drainage interventions to reduce risks from surface water and icing. Accident records and complaints from the public will be

used to focus resources at locations or on routes where there is an increased risk of accidents. Road condition surveys will be used to provide further evidence of the need to prioritise a location/route.

The Plan also indicates that the provision of dedicated active travel infrastructure to support movements on the road network by vulnerable users will be pursued to provide an environment where users are more confident and therefore more likely to travel by foot, wheeling or cycling. This infrastructure will be focussed in areas which serve vulnerable users, e.g. young or older persons, and be delivered using external funding sources and the Road Safety capital funding.

The Scottish Government Road Safety Framework encourages a partnership approach with neighbouring authorities and other public sector bodies. Actions within this Plan include joint working with the Education and Lifelong Learning Service with respect to providing road safety education within the school setting to children and pre and new drivers, along with joint working with Police Scotland with respect to participating in ongoing campaigns and roadside education of drivers, and the delivery of New Driver interventions.

An appropriate level of capital budget will also be required to implement improvement schemes identified through the investigation of accidents which occur during the lifetime of the plan. The types of improvement schemes could relate to minor junction improvements, facilities to assist pedestrians and/or cyclists crossing the road, the provision of improved sightlines at junctions, improvement plans for routes and so forth. Applications will also be submitted to the Scottish Government Road Safety Improvement Fund for schemes which meet the fund criteria (mainly across the rural network).

The changes in travel behaviours during 2020 and 2021 as a result of the Covid 19 pandemic have led to significant reductions in the number of reported accidents during those two years. It is therefore proposed to undertake a mid-term review of the plan in 2027 to review Moray's progress towards the national interim targets for 2030 and to see where joint working has been successful/could be enhanced.

Introduction

This is the seventh Road Safety Plan for Moray, the previous plans being prepared in 1997, 2000, 2004, 2007, 2011 and 2018, respectively. Each previous plan laid out a framework of policies and actions to improve road safety over the life of that plan. This plan seeks to review road safety activity in Moray and create and maintain partnerships which will help develop proportionate interventions to continue to improve road safety in Moray. It is also the first plan which will see the focus on the safe system approach set out in Scotland's Road Safety Framework to 2030 *'Together, making Scotland's roads safer'*.

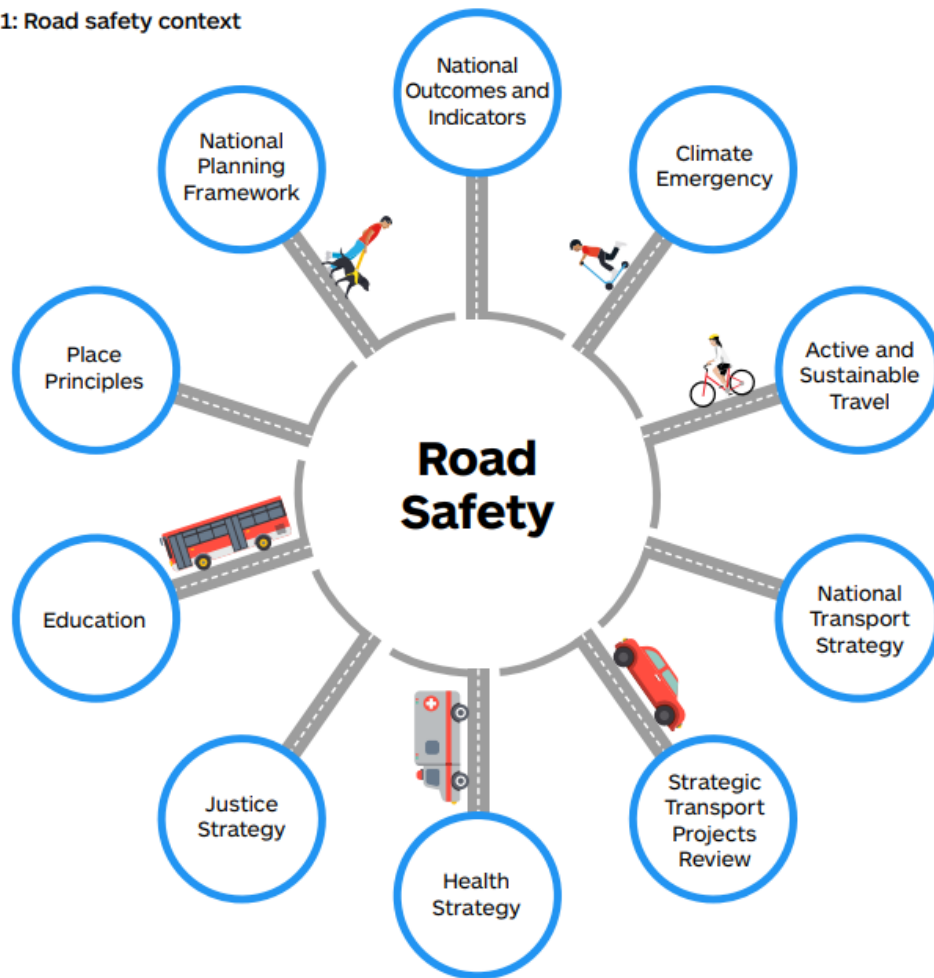
The Plan is produced to meet the council's statutory duty under Section 39 of the Road Traffic Act 1988 to prepare and carry out a programme of measures designed to promote road safety.

The Council is required to carry out studies into accidents arising out of the use of vehicles on roads for which they are the Roads Authority and must, in light of those studies, take such measures as appear to be appropriate to prevent such accidents, including:

- the dissemination of information and advice relating to the use of roads, the giving of practical training to road users or any class or description of road users;
- the construction, improvement, maintenance or repair of and other measures taken in the exercise of their powers for controlling, protecting or assisting the movement of traffic on roads; and
- in constructing new roads, must take such measures as appear to be appropriate to reduce the possibilities of such accidents when the roads come into use.

Road Safety sits within a wider context of policies and activities undertaken by local authorities and public bodies, as shown in the diagram below:

Figure 1: Road safety context



Source: Scotland's Road Safety Framework to 2030

The new Road Safety Framework promotes partnership working 'Together, making Scotland's roads safer'. However, it is also the responsibility of road users to ensure that their vehicles are road worthy, they have a valid licence for the type of vehicle they are using and that they are fit and competent to safely operate a vehicle.

There are strong interrelationship between the various groups and bodies with respect to Road Safety as demonstrated in the following diagram:



Although there are these relationships, each body has its own clear area of responsibility.

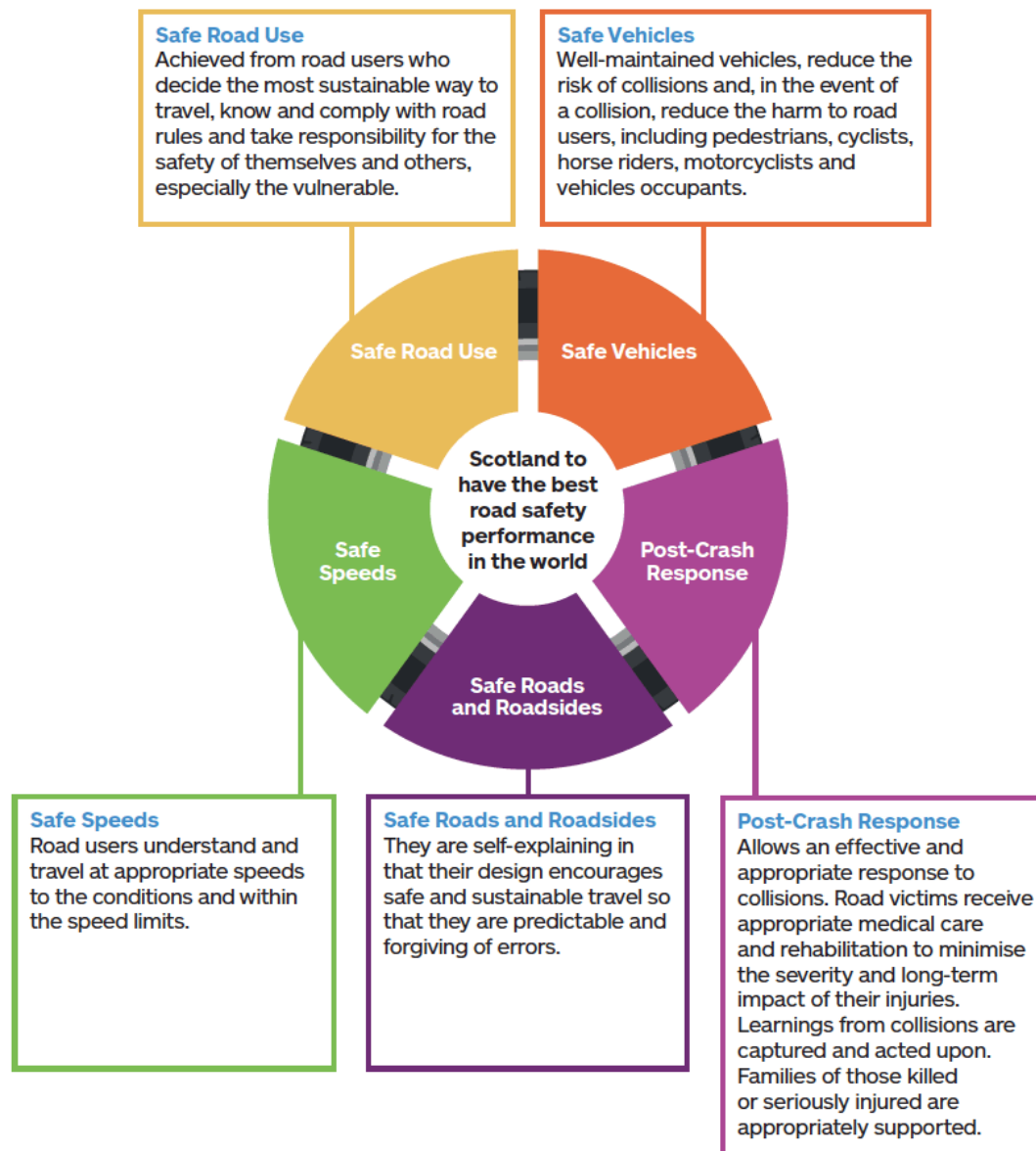
Whilst the Trunk roads throughout Moray are the responsibility of Transport Scotland, and are managed and maintained on their behalf by Amey, all the statistics quoted in this plan are for both trunk and local roads. This goes back to the council responsibility for road safety on all the roads within its area.

This Plan has been produced by the Moray Council's Transportation team in conjunction with local representatives of Police Scotland; Transport Scotland Amey; NHS Grampian; Scottish Fire and Rescue Service; The Scottish Ambulance Service, North East Safety Camera Unit and other Council services, such as Education and Lifelong Learning.

Strategic Partnerships and Frameworks

Scotland's Road Safety Framework

Scotland's Road Safety Framework to 2030 - Together, making Scotland's roads safer, was published by Transport Scotland in February 2021¹. It heralds a new approach to road safety by introducing the Safe System approach at a national, regional, local and even individual level. The following diagram sets out the five pillars of the Safe System:



¹ [Scotland's Road Safety Framework to 2030](#)

The Framework also proposes new targets.² to 2030. These interim targets are 'milestones' or 'check points' for the Framework's long term goal of moving close to zero fatalities and serious injuries in road transport by 2050.

Scotland's Road Safety Framework Targets

Our Targets

Interim Targets to 2030

50% reduction in people killed

50% reduction in people seriously injured

60% reduction in children (aged <16) killed

60% reduction in children (aged <16) seriously injured

Intermediate Outcome Targets

- *40% reduction in pedestrians killed or seriously injured*
- *20% reduction in cyclists killed or seriously injured*
- *30% reduction in motorcyclists killed or seriously injured*
- *20% reduction in road users aged 70 and over killed or seriously injured*
- *70% reduction in road users aged between 17 to 25 killed or seriously injured*
- *Percentage of motorists driving/riding within the posted speed limit*
- *The casualty rate for the most deprived 10% SIMD areas is reduced to equal to the least deprived 10% SIMD areas.*

Intermediate Measures

- *Casualty rate per 100 million vehicle kilometres for cyclists killed and seriously injured*
- *Casualty rate per thousand population for pedestrians killed and seriously injured*
- *Number of people killed and seriously injured in collisions where at least one driver/rider was driving for work, not commuting*

It should be noted that within the Framework the baseline for accident data used to assess progress towards the above interim targets has been set as the years

² [Scotland's Road Safety Framework to 2030](#)

2014 to 2018. The previous baseline for the Scottish Government Road Safety Framework to 2020 covers the years 2004 to 2008.

Local Partnership Forum North

In a wider context, and to improve communications between national and local level government, Transport Scotland's Road Safety Framework has developed three Scottish local partnership forum groups. The North Unit comprises the Councils of:

- Aberdeenshire
- Aberdeen
- Angus
- Perth & Kinross
- Moray
- Highland
- Comhairle nan Eilean Siar
- Shetland Islands,
- Orkney Islands.

These forums allow operational partners to discuss specific interventions and compare the types of road users who are injured. It is important that these links are developed as approximately a third of all Moray residents injured each year in road accidents are on a trunk roads. This pattern is similar across the neighbouring local authorities, who are also part of the Local Partnership Forum North and the Road Safety North East Scotland groups.

Road Safety North East Scotland (RSNES)

Across the North East of Scotland, agencies have been working in partnership since Local Government reorganisation in 1996 to reduce the number and severity of casualties on our road network. This culminated in a Joint Public Sector Group formalising a partnership which is now known as Road Safety North East Scotland (RSNES). From the peak road casualty figures in 2004-2006 the

group has steadily reduced the number and severity of casualties in the intervening years. The latest strategy for the RSNES was approved in summer 2017³

The group comprises partners including the three north east local authorities; (Aberdeen City, Aberdeenshire and Moray Councils), NESTRANS, North Safety Camera Unit. NHS Grampian, Police Scotland, Road Safety Scotland, Scottish Fire and Rescue Service and Transport Scotland, all of which have a role in road safety.

The group monitors ongoing accident and casualty trends and collaborates on campaigns and research. Robert Gordon University are currently working on a number of research projects on behalf of the RSNES in relation to young driver interventions, motorcycle crashes⁴ and interventions⁵ and the general downward trend of casualties across the North East compared to Scotland as a whole.

Prior to 2020, Aberdeenshire Community Safety Partnership alongside RSNES delivered the young driver intervention 'Safe Drive, Stay Alive'. However, in 2018 Transport Scotland commissioned a research report from TRL (Transport Research Laboratory) which reviewed the effectiveness of pre-driver interventions. The report⁶ was critical of the type of Safe Drive interventions as there was little evidence that the main premise of any intervention should be 'do no harm' was fulfilled.

With this in mind Police Scotland in Ayrshire developed a new type of young driver intervention, 'New Driver Scheme', which was evaluated by Research Scotland. The new intervention was more targeted and delivered face to face with an experienced police officer. This has now been rolled out across Scotland and was introduced in the North East in 2022⁷.

³ [North East Scotland Road Casualty Reduction Strategy 2017](#)

⁴ [Motorcycle Safety Strategies in North East Scotland. Caroline Hood RGU](#)

⁵ [Rider Refinement North 2022:independent evaluation report, Caroline Hood RGU](#)

⁶ [Review and assessment of pre-driver, TRL, PPR838](#)

⁷ [New Driver Scheme launch](#)

The RSNES group also shares successes in engineering interventions and best practice.

Local and Regional Policies and Context

At a local level, the key policy documents which are relevant to road safety are:

- [The Local Outcome Improvement Plan V2](#) (Moray Community Planning Partnership) September 2021
- Moray Corporate Plan 2024 (Moray Council)
- The Moray Economic Strategy (Moray Council)

This plan is consistent with the priorities of the Moray 10 year Plan – the Council’s Local Outcome Improvement Plan V2⁸ through

- Building a better future for our children and young people in Moray by: promoting and supporting safer environments and communities; and
- Empowering and connecting communities through the Moray Economic Strategy 2022⁹ by: supporting productivity growth through enhancing critical infrastructure.

The Council’s Corporate Plan for 2024¹⁰ also indicates that it *‘will continue to provide services which support economic growth and well-being, such as ..., maintaining an efficient road network These activities directly support national objectives.’*

In terms of regional policy, Moray is part of HiTrans Regional Transport Partnership area. This Plan is consistent with the aims and objectives of the HiTrans Regional Transport Strategy¹¹ draft May 2017 (an updated strategy is expected), and the second Moray Local Transport Strategy¹² which states at Sub-Objective S2 that we will:

⁸ [Local Outcome Improvement Plan V2, Moray Community Planning Partnership](#)

⁹ [Moray Economic Strategy 2022](#)

¹⁰ [Corporate Plan 2024](#)

¹¹ [HiTrans Regional Transport Strategy](#)

¹² [Moray Local Transport Strategy](#)

Develop solutions to traffic safety and capacity problems within Moray and work with the Scottish Government, developers and others to minimise predicted problems.

The speed of traffic through built up areas is a concern raised by many communities in Moray. However it is on the rural roads outwith built up areas where speed tends to be a factor in road accidents. Enforcement of traffic speeds is carried out by Police Scotland and their Moray Local Policing Plan¹³ supports the aims of this document through Operation CEDAR.

Operation CEDaR (Challenge, Educate, Detect and Reduce) is the north road safety strategy aimed at casualty reduction and improving safety on the roads within the Police Scotland North Command area (which Moray and North East local command areas fall under). Operation CEDaR is delivered through local initiatives which are specifically aligned to the issues identified in each Police Scotland Division. Where appropriate these initiatives will involve local policing teams and partner agencies to reduce the number of people killed and seriously injured in the area and improve the behaviour of drivers of all ages behind the wheel. Locally Police Scotland partner with DVSA, DVLA and NESAMP as well as schools on occasion.

¹³ [Moray Local Policing Plan 2023-2026](#)

Accidents in Moray

It is important that any actions arising from this plan are designed to address issues identified through the consideration of recorded accident data. The following section investigates the recorded accident data provided to Moray Council from Police Scotland, seeks to understand the data and identify patterns and trends.

Accidents and casualties

Police Scotland collect information on all accidents reported to them, either at the scene of an injury accident or reported by a member of the public after the event. This information is then analysed by both police officers and roads engineers to determine locations on the road network which show clusters of accidents; different types of accidents and groups of road users who may be particularly at risk.

The number of accidents and casualties vary quite considerably from year to year as a result of weather and other external factors which can affect the number and type of journeys made. This can affect the reliability of any conclusions drawn on one particular year's data. This is especially true in areas which are largely rural and dependent on local conditions, as opposed to large urban areas where journey patterns are fairly stable.

Analysis of accident data is usually carried out over a three or five-year period.

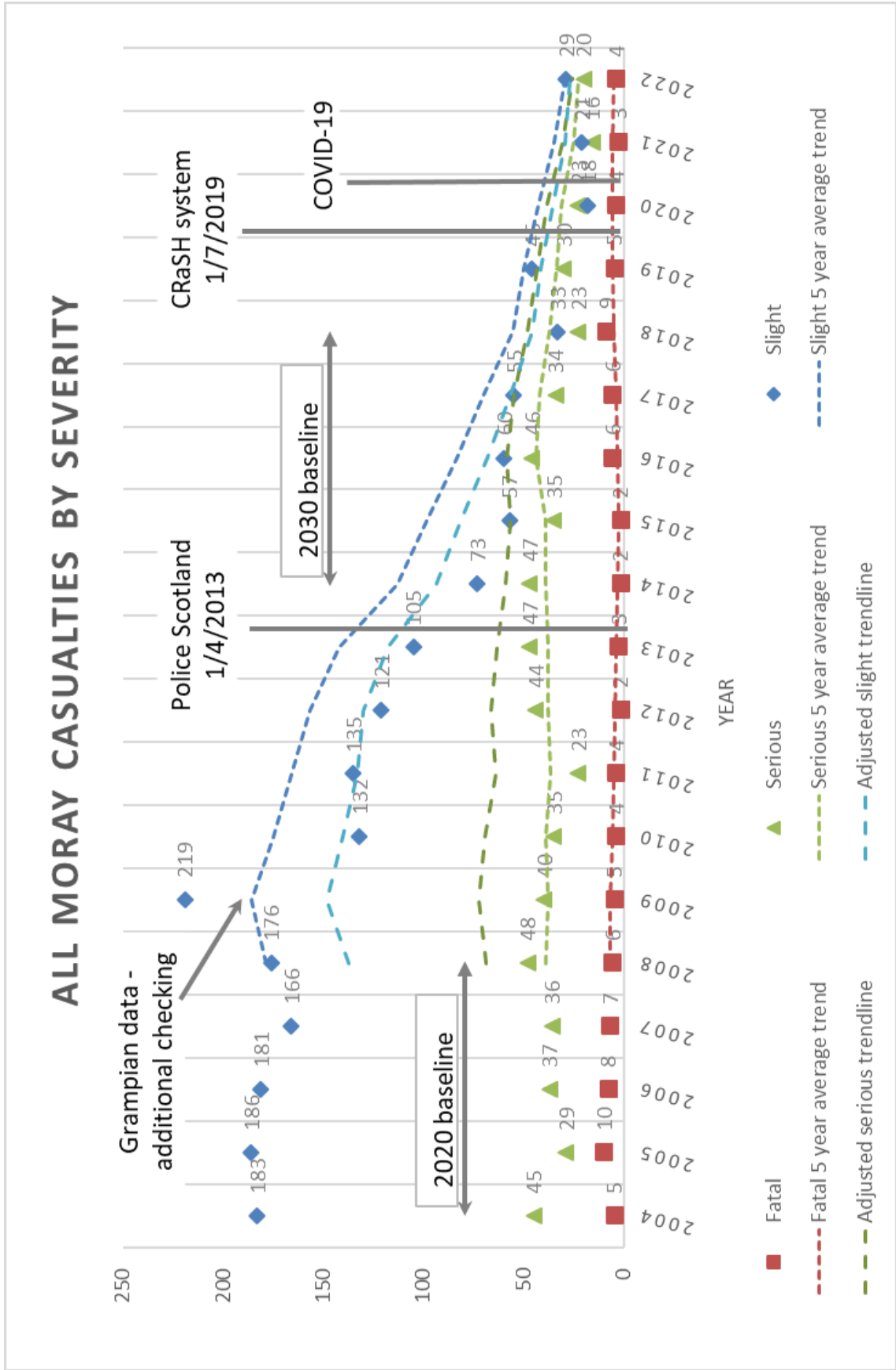
The following graph (on page 17) shows the trends in reported accidents in Moray over the period 2004 to 2022. There are a number of points on the graph where there is a significant increase or decline in the number of reported accidents. These points have been highlighted and reasons for the anomalies/change given on the graph.

Additionally, from July 2019 Police Scotland introduced a nationwide accident and casualty data recording system called CRaSH (Collision Reporting and Sharing). The way serious casualties are now being recorded is based on specific injury types and the system then categorised the casualty by killed, seriously or slightly injured. Before this system was introduced, the classification of the injury

was assessed by the attending police officer. The same system has been gradually rolled out across Great Britain and the effect has been that casualties previously categorised as slight were now being recorded as serious, leading to an overall increase in the serious injury numbers. The Department for Transport has subsequently adjusted the originally recorded figures and these are the ones being used to measure the future targets against. The graph shows the adjusted trend lines for serious and slight casualties. The 2020 - 22 numbers are not adjusted as the new system was in place during that period.

The adjusted trend lines follow the same pattern as that originally recorded, but are higher for serious casualties and lower for slightly injured. The reduction in Killed and Seriously injured casualties (KSI) between the two baselines in Moray is around 9% with the recorded figures. For Scotland this figure is around 37%. The adjustments haven't been made before 2006, so the adjusted base for 2004-08 is not available to calculate the reduction. For all casualties in Moray the reduction is around 57% which compares with around 40% for all Scotland.

The Moray data is a very small sample size and is prone to fluctuation. This can explain some of the variation between Moray and the whole of Scotland. The following sections seek to explain this in more detail.



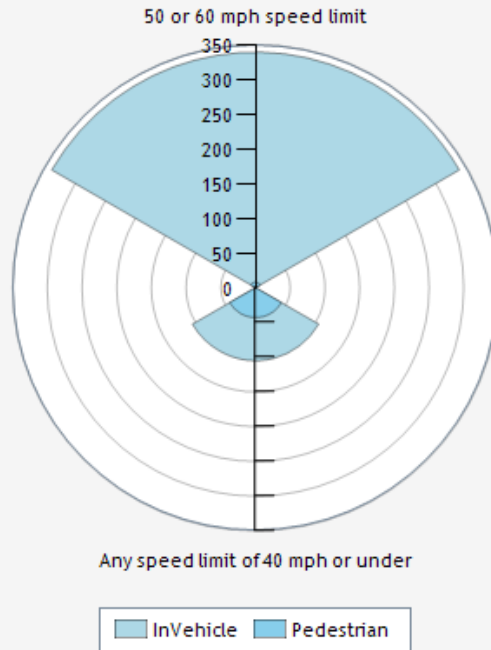
All data in this plan is quoted for a 5 year period 2018-2022 to allow comparison of 5 year data with national information in Reported Road Casualties Scotland.¹⁴ The COVID19 pandemic has skewed these figures due to restrictions on travel and movement during both 2020 and 2021. Future years' figures will be more representative when compared to the baseline of 2014 to 2018 (set in the Road Safety Framework to 2030), although it should be noted that overall travel patterns are changing with the move to more hybrid working and online shopping. Scottish Government are also seeking to reduce vehicle-kilometres by 20% by 2030. Measures to support that aim will be likely to have a further impact on travel behaviours. Therefore travel patterns may never wholly revert back to travel patterns observed prior to the pandemic.

Casualties in Built up versus Non-built up areas

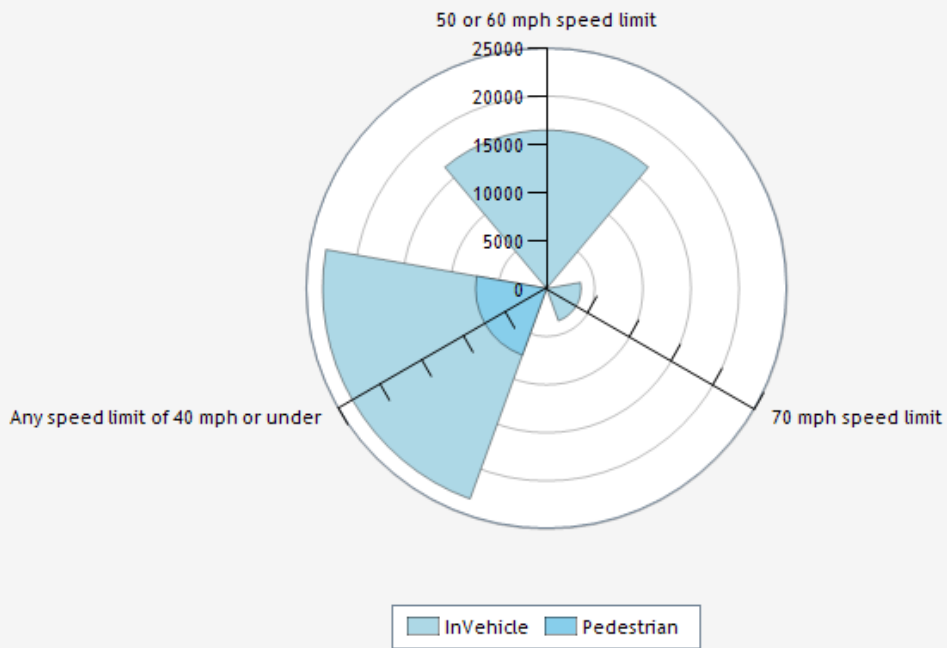
Built up roads are defined as those having a 40mph speed limit or less and non-built up are national speed limit or 50mph. The pattern of where casualties are injured on the road network is very different in Moray when compared to Scotland as a whole. Between 2014 and 2018 (Road Safety Framework to 2030 baseline) over 70% of Moray casualties were injured in accidents occurring on rural roads, compared to just a third of casualties for Scotland as a whole, as illustrated in the diagrams below:

¹⁴ [Reported Road Casualties Scotland](#)

Casualties by Built up and Non-built up - Moray



Casualties by Built up and Non-built up - Scotland



15

¹⁵ [MAST Online Road Safety Analysis](#)

As the data for Scotland as a whole shows higher accident rates in built up areas than on rural roads, Scottish Government is developing a National Strategy for 20mph, which would see the current limit of 30mph on most urban roads, being reduced to 20mph as standard to support reduction in the number and severity of accidents in built up areas..

Research carried out in the 80s, 90s and 00s identified fatality risk for pedestrians being struck by passenger vehicles travelling at certain speeds.¹⁶ Results varied markedly but the general conclusion was that there is a low gradual risk for impact speeds up to 20mph, thereafter some studies suggest that this low risk rises as speeds increase towards 30mph and in some locations/instances the risk rises more steeply. This suggests that there are many other factors involved in accidents on built up roads rather than just speed.

Within Moray around 12% of accidents in built up areas have identified speed as a contributory factor. Whereas on rural roads, speed is a factor in around 30% of reported injury accidents.

This indicates that with 70% of injury accidents occurring on rural roads in Moray, and 30% of those accidents having speed as a contributing factor, accident reduction in Moray should be focussed on rural roads rather than in built up areas.

Casualties

- 29% of Moray residents who are injured in a crash, crash outside Moray
- 72% of people who are injured in a road crash in Moray are from Moray (with 14% unknown)

Crashes

- $\frac{1}{3}$ of Moray residents who crash, crash on Trunk Roads
- 1.2% of casualties involve a school pupil or on a school run.

Around one third of Moray residents injured in Scotland are injured on a Trunk

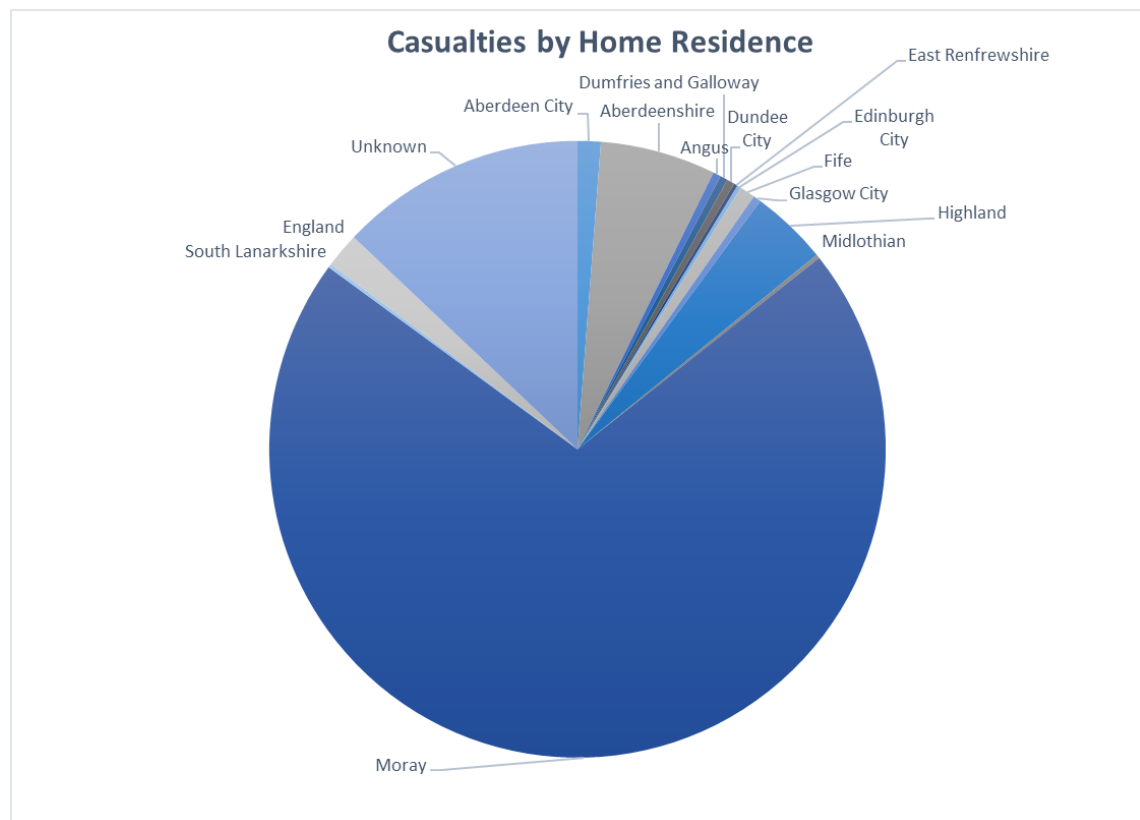
¹⁶ [The role of speed in the frequency and severity of Road Traffic Collisions](#), NI Assembly

Road. Within Moray itself one third of those injured are also injured on a Trunk Road. This indicates that the partnership approach with Transport Scotland and Amey is crucial to assisting in reducing accidents and their severity in Moray.

Casualties by home residence

Across Scotland during the baseline period (2014-18) only 1% of people injured in road accidents in Scotland, were injured in Moray. Moray has approximately 2.9% of the Scottish Road network¹⁷ and 2% of the Scottish population.¹⁸ This shows that the relative risk of being involved in a crash in Moray is between half and a third of the rest of Scotland.

The chart below indicates where those injured in Moray come from.



Source: MAST by Agylisis (2014-18)

¹⁷ [Scottish Transport Statistics 2022 Table 4.2](#)

¹⁸ [Scotland's Census 2022 – Rounded population estimates](#)

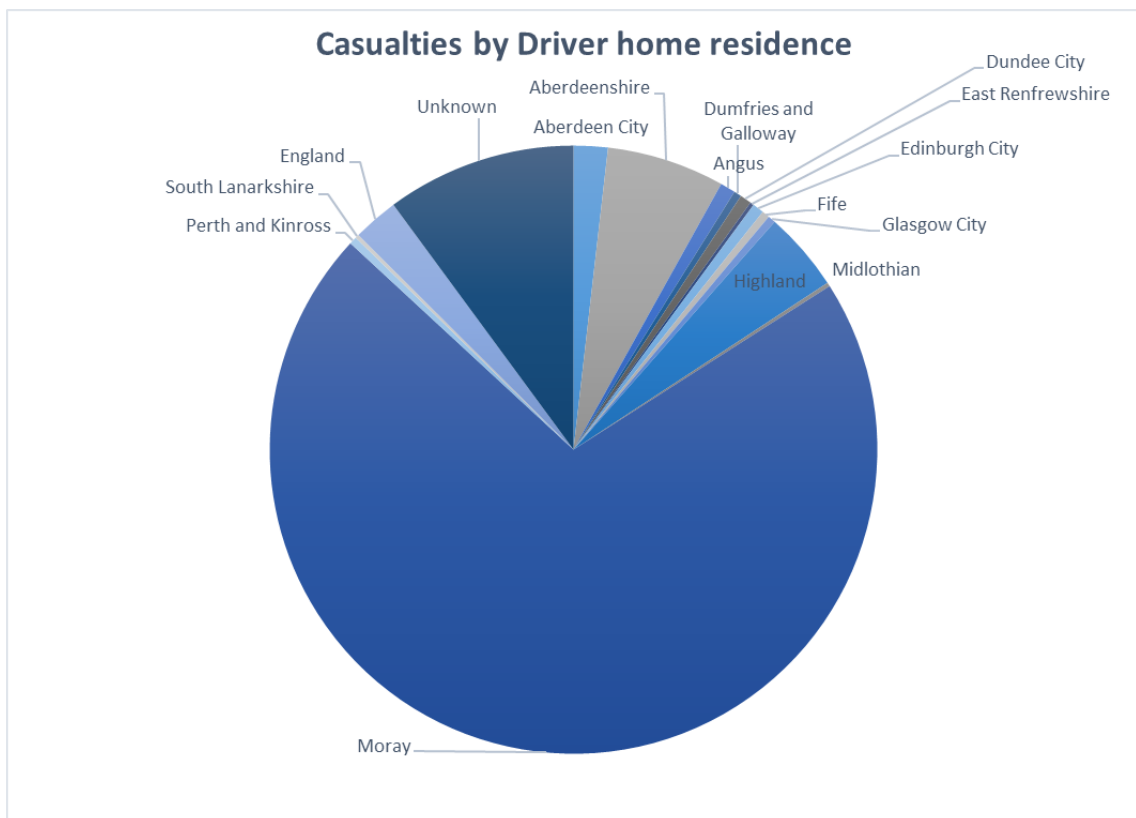
Risk by road type

The table below shows the relative risk for injury accidents when travelling on 'A' class roads within Moray for the Road Safety Framework to 2030 base line period of 2014 to 2018. This risk is calculated separately for urban and rural sections of road and is related to the length of the relevant section of road to give a comparable rate per kilometre.

Baseline Period 2014-2018 (totals)							
Road No	Urban Casualties	Rural Casualties	Total casualties	Urban length (km)	Rural length (km)	Urban rate (cas/km/pa)	Rural rate (cas/km/pa)
A95	0	10	10	0.5	13.7	0.00	0.15
A95(T)	4	30	34	2.8	34.7	0.28	0.17
A96(T)	34	85	119	8.7	54.5	0.78	0.31
A98	1	21	22	1.6	19.3	0.12	0.22
A920	1	0	1	0.0	6.1	0.00	0.00
A939	0	7	7	0.9	17.2	0.00	0.08
A940	0	2	2	2.2	20.9	0.00	0.02
A941	15	59	74	10.3	47.0	0.29	0.25
A942	4	1	5	6.1	5.0	0.13	0.04
A990	1	0	1	3.0	2.8	0.07	0.00
B roads	16	98	114	43.7	254.2	0.07	0.08
All other roads	72	33	105	374.7	1128.7	0.04	0.01
All Roads	148	346	494	454.5	1604.1	0.07	0.04

The Scottish rate for all rural 'A' roads is 0.27 casualties/km per annum. The A96 then A941 have the highest per kilometre rates in Moray. The A96 at 0.31 casualties/km per annum is higher than the Scottish rate for all A roads, with the A941 is a little below the Scottish rate. The next A class road, the A98, has a rate well below that of the A96, A941 and the overall rates for A class roads in Scotland.

Considering where the driver associated with a casualty lives on each route provides further insight into accident trends and patterns. Since 2014 (to 2021), for injury accidents on the A95 and A96, 55% involve Moray drivers. For the A98, this figure increases to 73% of drivers involved in an injury accident living in Moray and for the A941 the proportion increases again to 80% of drivers. Across the 'A' road network the average is 65% drivers residing in Moray followed by 18% from Aberdeen, Aberdeenshire and Highland and 13% either unknown or outwith Scotland.

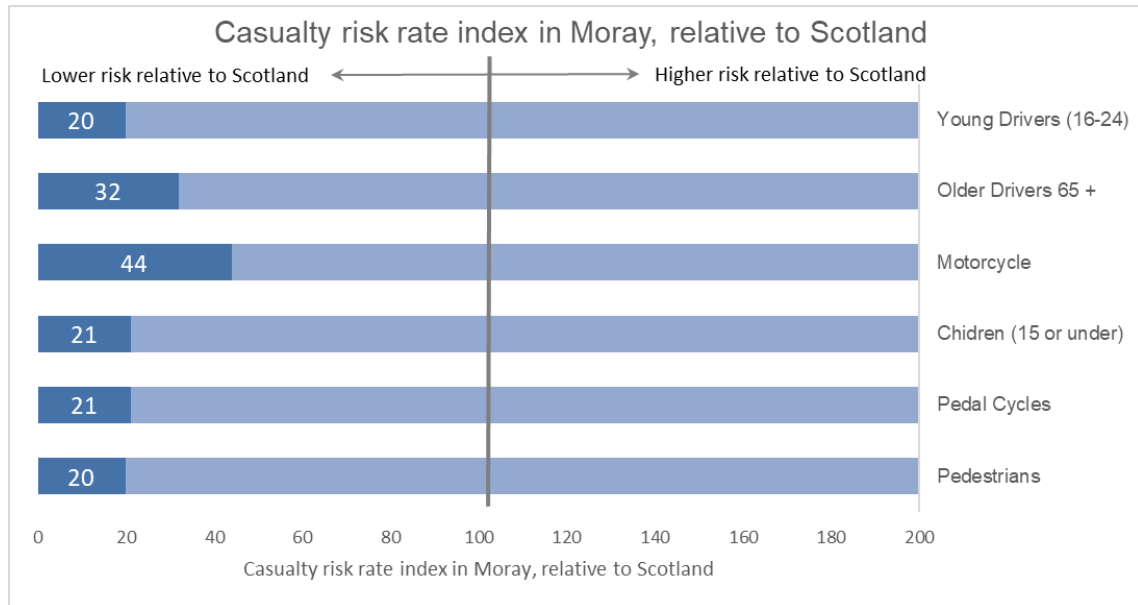


Source: MAST by Agylisis (2014-18)

This indicates that the injury accidents reported on rural roads such as the A98 and A941 where there are higher rates per kilometre per annum are more likely to involve drivers who are local residents and should be familiar with the road network.

Casualties by road user type

Looking at specific categories of road users, when compared to Scotland, the relative risk of being injured in an accident in Moray is much lower than the whole of Scotland as shown in the diagram below.



Source: MAST Scotland database, Road Safety Analysis Ltd. ¹⁹

Comparing Moray with similar authorities, (Aberdeenshire, Stirling and the Borders) with respect to rurality, proportion of rural roads in their network, and population profile and population density shows similar accident and casualty trends to Moray.

It is therefore important to consider the relative risk, rurality and specific characteristics of injury accidents in Moray when developing interventions, as opposed to following the Scotland wide approach.

Age (Pre, young and older drivers)

Moray's population has remained virtually unchanged in the past 10 years ²⁰ and currently (2022) stands at 93,400. Population estimates for Scotland indicate that

¹⁹ [MAST Online Road Safety Analysis](#)

²⁰ [Scotland's Census 2022 - Rounded population estimates](#)

the population is aging with over 20% being over 65 years old compared to 16.1% 10 years ago and just 12.1% 50 years ago. In Moray the figure is about 23%.

The aging population presents its own challenges with respect to road safety. Driver training for those who have been driving for some time, is difficult to 'sell', and issues such as eyesight and prescription drugs require careful handling. Joint working with the NHS and other parties is required to persuade individuals to be aware of these issues.

The younger population, under 25, is around 23,900 or around 25% of the population. This is a reduction from 29% in 2011.

Schools, and their role in providing Road Safety advice is crucial to pre drivers and young people in general. Curriculum based material is available nationally from Road Safety Scotland. Joint working with Education and Lifelong Learning to develop Road Safety Champions who can share and provide advice on this material to their fellow pupils is one way to disseminate road safety messages to this age group.

Accidents involving young drivers has reduced by over 80% in the past 15 years. There are many factors which have contributed to this including the rising cost of insurance and fuel along with interventions previously carried out by the Police before 2013. In the years during COVID19 the reduction is 50% over the 2014-18 average. The introduction of free bus travel to under 22 year olds in January 2022 may also be a factor in this reduction.

The Cost of Accidents

The UK Government produces figures each year which reflects on average how much an accident costs to society. It takes into account the costs of the police and other emergency services, medical costs, lost output (e.g. loss of earning capacity), damage to property, and a sum which reflects the effects of pain, grief, suffering etc. i.e. the emotional impact of an accident. Average costs are shown below for Scotland²¹, according to the severity of the injury.

²¹ [Reported Road Casualties Scotland 2021](#), Table 10

Severity of Accident	Cost
Fatal	£ 2,309,788
Serious	£ 273,510
Slight	£ 27,985

Over the past five years, the cost of accidents in Moray amounted to some £15 million.

The Council is committed to improving road safety and has approved capital funding of £188,000 for 2023/24. On-going Capital funding will be required to ensure that any required engineering improvements identified through the life of the Road Safety Plan can be developed and delivered. Transport Scotland, through Amey, has also programmed engineering improvements for the two Trunk Roads in Moray namely A96 Inverness to Aberdeen road and A95 Aviemore to Keith road. This expenditure has been complemented both by the financial support and manpower resources of the police, fire, ambulance, health board and other council services in education, enforcement and encouragement.

The Scottish Government has recently introduced a new Road Safety Improvement Fund as part of the funding to support the Road Safety Framework. Funding has been secured for 2023/24 for two improvement schemes in Moray; the first for works at the A940 at Glenernie and the second to improve road markings (lining) and cats eye upgrades on A940 and A941.

Furthermore, progress on improving the cycle and walking network has been given a major boost by the increases in Cycling, Walking and Safer Routes funding which has been received for Scottish Government as a ring fenced grant annually since 2001. Although primarily for improvements to the active travel network, these have a positive road safety benefit for these vulnerable road users and help pedestrians, cyclists and wheelers to feel more confident when using the road network.

Issues and Actions

The aim of this plan is to contribute to the delivery of Scotland's Road Safety Framework to 2030 with the vision '*For Scotland to have the best road safety performance in the world*²².

This is to be achieved through:

- Safe Road Use
- Safe Vehicles
- Safe Speeds
- Safe Roads and Roadsides
- Post-Crash Response

Road safety is defined as any policy, project, plan, programme or strategy which aims to reduce the number and severity of road traffic casualties or reduces road danger with better education or through the design, building, operation or use of the road system.

There are a number of measures which can be used to help reduce the number and severity of road accidents. These fall into three broad categories:

- Education
- Engineering
- Enforcement

The behaviour of road users is influenced by educational methods and engineering measures. Enforcement of the traffic legislation is necessary when that behaviour is irresponsible or dangerous. However, the aim of the **education**, **engineering** and **enforcement** measures are to **encourage** everybody to adopt safer practices when on their daily journeys.

²² [Scotland's Road Safety Framework to 2030](#)

Issues

The main issues identified from the data are:

- The prevalence of accidents on rural roads;
- Ongoing maintenance of the Road network;
- Driver behaviour and speed management;
- Ongoing education of road users; and
- Provision of cycle and walking infrastructure.

The following sections describe the interventions which are currently being pursued by the key public bodies involved in the development of this plan to address the above issues. The interventions are grouped under the Safe System areas set out in Strategic Framework and Partnerships section of this Plan.

Safe Road Use

This is achieved from road users who decide the most sustainable way to travel, know and comply with road rules and take responsibility for the safety of themselves and others, especially the vulnerable.

Safe road users are competent at all levels, including: paying full attention to the road ahead and the task in hand; adapting to the conditions (weather, the presence of other users, etc.); travelling at lower speeds; not driving while impaired through drink, drugs (including medicines) or fatigue; not being distracted by in-vehicle technology (mobile phones, entertainment systems, 'sat navs', etc.); and giving sufficient room to all other road users, no matter what their mode of travel.

Throughout Moray we are continuing to improve the active travel network to help users make sustainable choices. Many of these improvements are funded from external grants for example Sustrans, Places for Everyone and the annual ring-fenced grant from Scottish Government for Cycling, Walking and Safer Routes projects.

There are various local and national campaigns on safe road use such as the National 'Think! Campaigns covering areas such as The Highway Code, mobile phone use, Seat belts, speeding on rural roads, vehicle safety checks, motorcycling, country road driving, drug and drink driving, cycle safety and education and games for primary aged children.²³

In Scotland, a similar organisation, Road Safety Scotland was launched in 1985 as The Scottish Road Safety Campaign, becoming Road Safety Scotland in 2005. Road Safety Scotland (RSS) is part of Transport Scotland, the Scottish Government's transport agency.²⁴

RSS's work is based on research and evaluations of previous campaigns and road safety initiatives. The most recent campaigns have been around:

- Use of Seatbelts;
- Young Driver Campaigns;
- Driver Fatigue:
- Road User Advice;
- Children and Educators:
- Cycling:
- Horses and Road Safety; and
- In Car Child Safety.

Seatbelts

It only takes seconds to put on a seatbelt. But it's a simple act that could save your life. On average 13%²⁵ of those killed on roads in Scotland over the last five years were not wearing a seatbelt. Seat belt wearing became compulsory in 1983.

²³ Think campaign website <https://www.think.gov.uk/>

²⁴ Road Safety Scotland website <https://roadsafety.scot/campaigns/>

²⁵ [PACTS: Seat Belts – time for action](#)

Young Drivers Campaigns

Young drivers have been identified nationally as being over represented in the casualty statistics. In the early 2000's Moray and across the north east had a real issue with young drivers crashing. This was tackled by campaigns with the Police and education events such as Safe Drive, Stay Alive. However, numbers have reduced considerably and are no longer the major issue they once were. This should not lead to complacency and Road Safety Scotland's (RSS) campaigns should continue to be supported. The RSS 'Drive like Gran's in the Car' campaigns cover subjects such as

- Drink Driving
- Drug Driving
- Speeding
- Distraction
- Vulnerable road users (motorcyclists, cyclists, pedestrians and horse riders)

The campaign concentrates on messages such as "Crash and you'll no be able to come round for my mince and tatties!"²⁶ and uses humour to get the road safety messages across.

Driver Fatigue

Driver fatigue causes hundreds of road accidents each year. And these accidents are roughly 50% more likely²⁷ to result in death or serious injury. When drivers fall asleep, the police find no signs of braking, or any avoiding actions, so there is a tendency to result in higher-speed collisions. This is a particular concern for Moray with long distances to travel to the central belt for work and deliveries. Whilst, it has been difficult to identify this specific issue in the accident statistics

²⁶ [Young drivers drink driving campaign](#)

²⁷ [Driver fatigue campaign](#)

to date, driver fatigue .will remain a focus when analysing data and supporting any national campaigns.

Road User Advice

Road Safety Scotland provides advice to drivers, by life stage, behaviour and for other road users and for visitors on driving in Scotland. ²⁸ Older Drivers are of particular concern across Scotland. In Moray, however, the numbers are low and the older population is not over represented in the accident data. There are some concerns about people driving longer than they should, particularly with poor and failing eyesight. This may be a result of the rurality of Moray and having limited public transport alternatives.

Children and Educators

Road Safety Scotland aims to provide road safety learning at every level, engaging children and young people. [RSS Children and Educators](#). The learning resources link to the seven principles of [Curriculum for Excellence](#).

Cycling

Most accidents to cyclists in Scotland happen on built up roads. [Cycling Scotland](#) provides training and information to help improve cyclists' safety. In Moray, Primary Schools participate in Bikeability training for pupils and the Moray Bothy project provides road safety advice for new and returning cyclists, including led rides to help build confidence.

Horses and Road Safety

Working with the equestrian community can to encourage a high level of safety awareness among riders. The British Horse Society (BHS) has been awarded the Prince Michael International Road Safety Award for its contribution to Road Safety. Visit [Equestrians on the road](#). The BHS have undertaken joint road safety campaigns with local authorities in England and it is understood that they are

²⁸ [RSS Road User Advice](#)

seeking to engage with Transport Scotland to undertake similar joint road safety campaigns in Scotland.

In-Car Child Safety

RSS is a key partner in the Scottish In-Car Child Safety Campaign. This is an ongoing campaign aimed at improving the safety of all children in vehicles. A major element of this is the provision of advice and information on the correct fitting of child car seats visit [Good Egg Car Safety](#) or [Carrying Children Safely](#). In Moray partnering with Good Egg through their training programme will enable the local delivery of this advice. Specific training provided by Good Egg will be sought for the Road Safety Officer.

Safe Vehicles

Well-maintained vehicles reduce the risk of collisions and, in the event of a collision, reduce the harm to road users, including pedestrians, cyclists, horse riders, motorcyclists and vehicle occupants.

Police Scotland target drivers of vehicles with expired MoT certificates as these vehicles are more likely to be less well maintained. Under inflated tyres can contribute to both vehicle and cycle accidents.

In vehicle safety has been improving steadily with the introduction of seatbelts, airbags, lane control and other vehicle control measures.

As mentioned above the correct fitting of child car seats is crucial to improving in vehicle safety. The Euro NCAP safety ratings can inform potential owners of the safety features in vehicles.

Safe Speeds

The aim is that road users understand and travel at appropriate speeds to the conditions and within the speed limits.

Traffic survey information is collected regularly and used to respond to complaints about speeding and, where appropriate, this data is shared with Police Scotland. Traffic speed and volume data is also collected before and after proposed schemes and developments to inform the decision making process and reflect on a scheme's outcomes. It also helps determine the appropriate speed limits to post for built up areas, in particular where new developments are taking place at the edge of settlements. Existing speed limits are regularly reviewed for new developments or as the result of concerns raised by communities.

The key factors that should be taken into account in any decisions on local speed limits are:

- history of collisions;
- road geometry and engineering;
- road function;
- composition of road users (including existing and potential levels of vulnerable road users);
- existing traffic speeds; and
- roadside environment.

Enforcement of posted speed limits is carried out by both Police Scotland and Safety Cameras Scotland. Safety Cameras Scotland is the collective name for the North, East and West Safety Camera Units. This is an arms-length organisation governed by Transport Scotland through the Scottish Safety Camera Programme, but working within Police Scotland.

The site selection process for the Safety Camera unit is based on accidents and where they happen. The process for determining new sites is shown below is described in Appendix 1.

Safe Roads and Roadsides

This aim of the Safe System seeks to provide roads that are self-explaining in that their design encourages safe and sustainable travel so that they are predictable and forgiving of errors.

With the majority of accidents resulting in people being injured happening on rural roads in Moray, this is where the majority of interventions have taken place in the past, including Route Accident Reduction Plans (RARPs). The most recent of these was on the B9008 and involved review of the road markings, in some places removing the centreline and replacing with edge lines to reduce verge overrun. This was done at locations where the road width is less than 5.5m wide and hence too narrow to allow 2 vehicles to pass safely. Signing was also reviewed to give a consistent message and highlight features such as narrow bridges and bends where accidents have happened. This type of work has been carried out on the A roads in the past, but requires ongoing maintenance to keep the messages clear and consistent.

Adequate and appropriate road maintenance is crucial to achieving safe roads and roadsides. Potholes, poor conditions of the surface, low skid resistance, overgrown verges, poor drainage, lack of visibility, no footway or cycle route, worn road markings, unclear signing and trees can all contribute to crashes happening on rural roads, before driver error or inappropriate speed comes into the situation.

Recently, funding from the Road Safety Improvement Fund (RSIF) has become available for specific schemes. Improving the road markings (centreline and edge lines) and cats' eyes on both the A941 and A940 were the main schemes to receive funding from the RSIF in 2023/24, which works undertaken which will have a direct impact on providing safer roads and roadsides.

Through the Moray Active Travel Strategy consultations and focus groups a clear desire was identified for inter-settlement cycle infrastructure and this will contribute to both the road safety and climate change agenda by providing sustainable commuter routes. However, such schemes have high costs and often require third party land. The Council will continue to support community groups

with this aim and may seek specific funding to support their delivery, where there is a clear positive Business Case.

Transport Scotland is responsible for the trunk roads within Moray. These are the A96 and the A95 from Keith to the Highland Council boundary.

Transport Scotland, through its Operating Companies, undertakes an annual review of collisions on the trunk road network to identify cluster sites, or routes with recorded collisions that may be worthwhile of further investigation. The screening process, together with a detailed understanding of collision trends around the network, results in a prioritised programme of sites that are investigated further. This evidence-led approach ensures that resources can be targeted at locations where the greatest potential for casualty reduction is available. This approach has been successful in reducing casualties across Scotland's trunk road network.

Amey (Trunk Road Operating Company for the North East) apply the Safe System approach as described in Scotland's Road Safety Framework to 2030 to deliver an evidence-led casualty reduction programme to work towards meeting the Scottish Government's casualty reduction interim targets to 2030.

Carrying out Safety Audits on new schemes can identify issues which may cause accidents and seek to reduce them before the scheme is fully operational. Safety Audits will be undertaken on significant schemes promoted by the council. Developers are required to provide and act on Safety Audits for their works on the public road and where they are creating new sections of public road. These will continue to be a requirement to support Planning Applications and applications for Road Construction Consent.

Post-Crash Response

When a crash happens the response ranges from no emergency services attending to all of them being present and can include the air ambulance.

It is vital to work with the emergency services and the [National Health Service \(NHS\)](#) to enable the best possible response to collisions, ensure victims are

effectively cared for, and facilitate meaningful investigations into the causes and potential solutions for the future. Health outcomes for victims rely on the ability of the system to quickly locate and provide emergency first responder care, in order to stabilise victims and transport them to hospital for further specialist treatment.

Each of the services have a local service plan:

- Police Scotland through their Moray Local Policing Plan²⁹
- Scottish Fire and rescue Service through their Local Fire and Rescue Plan
- Scottish Ambulance Service in Our 2030 strategy with respect to Major incidents³⁰
- NHS Grampian

These services and the aftercare are crucial to the outcome of any casualties.

²⁹ [Moray Local Policing Plan 2023-2026](#)

³⁰ [Scottish Ambulance Service - Our 2030 Strategy](#)

What we are going to do

Although the number of people injured on Moray's roads is low, there is no room for complacency. There are ongoing concerns such as the aging population and the ongoing climate crisis which is encouraging the wider use of sustainable forms of travel such as walking and cycling. Rural roads remain a concern as this is where the majority of crashes happen in Moray and in particular on the Trunk Road network.

Journeys to school by sustainable means have remained broadly unchanged at around 50%. However, the numbers of pupils being driven has gradually crept up over the years along with those being driven part of their journeys at the expense of travel by bus. This could be a reflection of 'parental choice' with School buses not being available to out of zone pupils.

Actions

The following key actions have been identified based on the analysis of the accident data, the aims of the Road Safety Framework to 2030 and the joint working partnerships within the RSNES group.

Action	Target Date	Who	Safe System
Contribute to the North East Scotland Road Safety Strategy	tbc	All	Safe Road Use; Safe Speeds; Safe Roads and Roadsides, Post-crash response
Investigate options for a Moray Road Safety Group and better connections with the Trunk Road operating company		Moray Council Transportation and Transport Scotland/Amey	Safe Road Use; Safe Speeds; Safe Roads and Roadsides, Post-crash response

Continue to carry out road accident analysis on an annual basis and otherwise as identified and to use this information to carry out effective and appropriate AIP engineering measures.	On-going throughout the term of the Plan to 2030.	Moray Council Transportation, Amey./ Transport Scotland	Safe Roads and Roadsides
Support the North Safety Camera Unit to identify sites for enforcement and to make representations to the Scottish Safety Camera Programme Office to consider appropriate criteria for speed camera sites.	On-going throughout the term of the Plan to 2030.	Police Scotland, Moray Council Transportation, Amey / Transport Scotland	Safe Speeds
To continue to support Road Safety Scotland	On-going throughout the term of the Plan to 2030.	Moray Council Transportation, Police Scotland, Transport Scotland	Safe Road Use
Support Police Scotland with their Motorcycle operation in a bid to reduce accidents	On-going throughout the term of the Plan to 2030.	All and involving this road user group	Safe Road Use; Safe Speeds
Concentrate resources on reducing the number and severity rural accidents, particularly those associated with speed.	On-going throughout the term of the Plan to 2030.	All	Safe Roads and Roadsides
Review young and pre-driver interventions, e.g. Police Scotland New Driver Scheme; and monitor the effectiveness.	By 2025	All	Safe Road Use; Safe Speeds
Investigate proposals for local / school Road Safety Champions	By 2025	Council	Safe Road Use
Review how best to deliver road safety advice and information	By 2024	Council,	Safe Road Use

Support national campaigns	On-going throughout the term of the Plan to 2030.	All	Safe Road Use
Police Scotland to continue to take a 'hard line' approach to young drivers involved in risky or antisocial behaviour	On-going throughout the term of the Plan to 2030.	Police Scotland	Safe Road Use
Seek to develop Community Council understanding of accident risks and traffic speeds, and have 'Champions' who can assist with disseminating of Road Safety campaigns and information	2024	All	Safe Road Use
Continue to seek funding to construct off road cycle tracks to provide segregation for vulnerable road users	On-going throughout the term of the Plan to 2030.	Roads	Safe Roads and Roadsides
Investigate options for the delivery of adult and secondary school cycle training	2025	Council	Safe Road Use

A mid-term review of progress towards the Road Safety Framework to 2030 targets and the above actions will be undertaken during 2027. This date has been chosen as by then there will be 3 to 5 years of accident data available which have not been impacted by the changes in travel behaviours by the Covid-19 pandemic.

Future Targets

In 2040 the Scottish Government is due to set new targets and through the North East Scotland Road Casualty Reduction groups, council officers will seek to inform and influence these new targets.

Once the new Road Safety Framework to 2040 has been published, an updated Road Safety Plan will be produced in 2031/32 to coincide with any new targets.

Glossary of Terms

AIP - Accident investigation and prevention

Fatal casualty – a casualty who dies within 30 days of an injury being sustained

Fatal accident – an accident where at least one casualty is fatally injured

Serious casualty – a casualty who requires an overnight hospital stay or has a major bone fracture

Serious accident – an accident where at least one casualty is seriously injured

Slight casualty – a casualty who sustains minor injuries or bone fractures, not requiring an overnight hospital stay.

Slight accident – an accident where at least one casualty is slightly injured

KSI – Killed or seriously injured

AA – Automobile Association

DSA – Driving Standards Agency

NESCamp – North East Safety Camera Partnership

HiTrans – Highlands and Islands Regional Transport Partnership

NESTRANS - North East Scotland Regional Transport Partnership

RSS – Road Safety Scotland

ACPO(S) – Association of Chief Police Officers in Scotland

ORR - Occupational Road Risk

Organisations Involved

Moray Council, Transportation Service, Traffic and Public Transport Sections

Moray Council, Education Service

Moray Council, Community Safety

Police Scotland

- Aberdeen and North East Division Community Safety
- Road Policing Division
- North Safety Camera Unit

NHS Grampian

Scottish Fire and Rescue Service

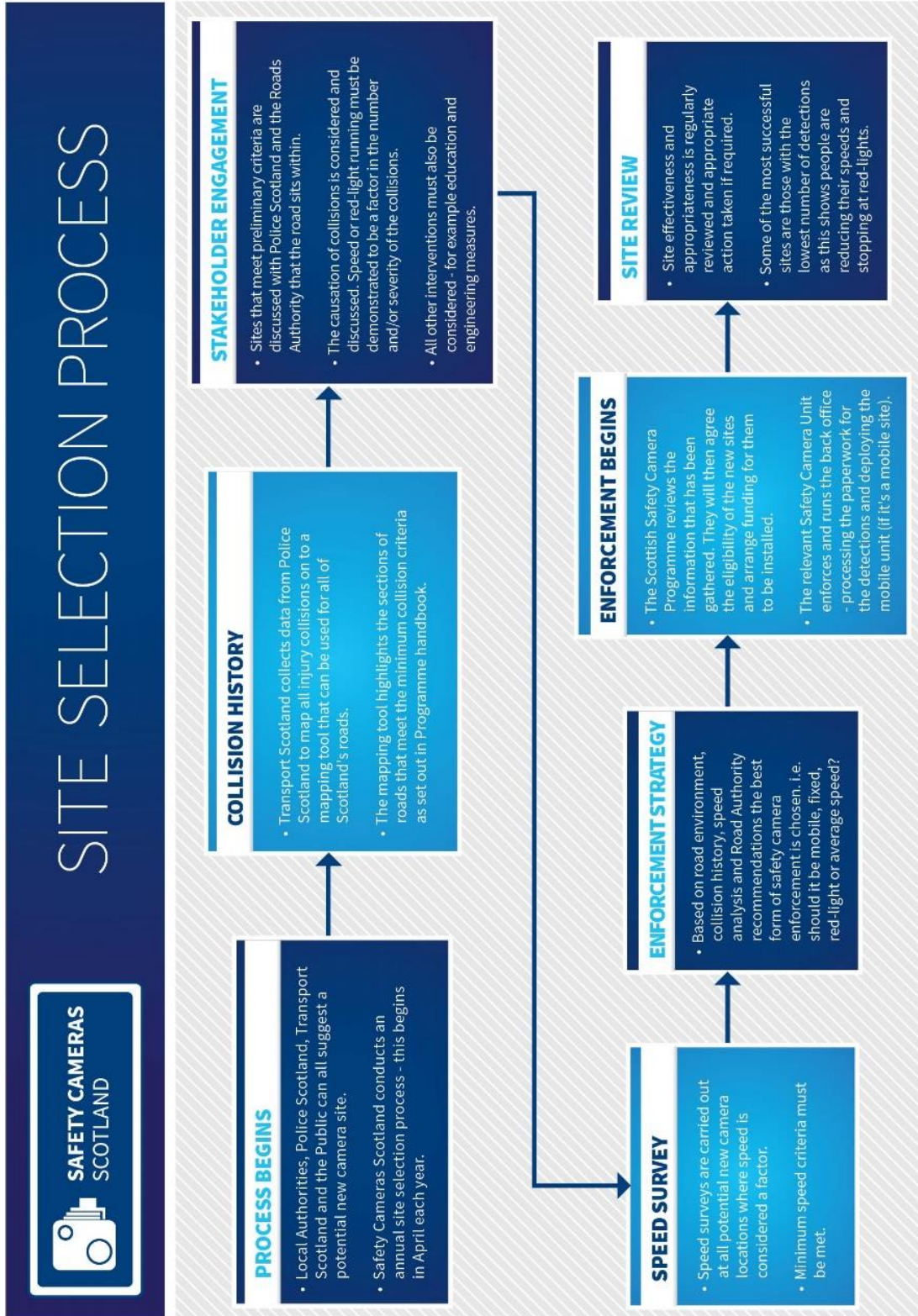
Scottish Ambulance Service

Transport Scotland

Amey Limited, Trunk Road operating company

Appendix 1

Safety Cameras Scotland – Site selection process.



Through targeted camera enforcement and improving driver behaviour the aim of Safety Cameras Scotland is to reduce the number of casualties on Scotland's roads. This means the cameras are sited in the areas most in need in terms of road casualty reduction, and deployed primarily where they will have the greatest casualty and collision reduction potential.

Criteria for enforcement locations are set out in the Scottish Safety Camera Programme Handbook and include:

- a history of injury collisions - have people been injured on this road and how severely?
- speed profile - is there a problem with speed on this road?
- agreement from partners - do Police Scotland and the Roads Authority agree that a safety camera is the right solution?
- enforcement strategy - what will be the best type of camera for this location?
- site review - an annual review - is this camera reducing injury collisions?

Whilst regular enforcement locations follow the process above, in order to meet demands the programme is able to offer short term and flexible deployment locations that should be utilised where and when appropriate.

- Short Term Deployments - To improve operational effectiveness and deployment flexibility, there will be occasions when short-term mobile enforcement deployments are required. The Programme therefore includes flexibility to reallocate provision in response to emerging issues or one-off/short-term events where the expected change in traffic behaviour has raised road safety concerns from stakeholders. Any deployments of this manner are limited to a maximum period of 1 month.
- Flexible Deployments - A number of enforcement hours will be available for deployments in support of improving driver behaviour and speed limit compliance in high footfall areas where active travel could be encouraged by lower speeds while reducing risk exposure. Flexible deployments should be based around a clearly evidenced prioritisation considering

speed and risk factors and will require a recent speed survey to evidence the issue of speed.

Police Scotland Road Policing have responsibility for enforcement on fast roads. We use Randomised Scheduled Enforcement Strategy (RSE)

This strategy has been utilised worldwide and targets high-risk locations at specific times to create an image of police omnipresence. By applying this concept, motorists will become increasingly uncertain and/or unable to predict the location of enforcement activity, therefore positively influencing driver behaviour. The locations and days identified each month are supported by analytical data from collisions for that month in the previous 5 years.

Local Policing Teams have the ability to enforce speed limits within the built up area.

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

Duties: tick the boxes you think apply	No	Maybe	Yes
Equalities: Will your proposal have an impact on groups with protected characteristics? <i>Consider the impact of your proposal on people and how they access your services and information without barriers.</i>			X
Socio-economic <i>Not every person/family has access to regular income or savings. Will your proposal have an adverse impact on them</i>	X		
Does your proposal impact on the human rights of people?	X		
Does your proposal impact on the rights of children and young people	X		

<p>Reasoning</p> <p>Briefly describe your reasoning for the responses given above:</p> <p>The actions from the Road Safety Plan to 2030 include providing infrastructure for vulnerable road users, which include children and persons with impaired mobility/senses. The provision of such infrastructure will be to the benefit of these groups.</p>

There would be no adverse socio-economic impact from the actions within the plan as provision of active travel infrastructure will also support travel for low income groups who often do not have access to a vehicle.

Likewise the Plan does not have any implications on Human Rights or the Rights of Children.

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	Diane Anderson
Other people involved in the screening (this may be council staff, partners or others i.e. contractor or community)	Elaine Penny
Date	16 October 2023

STAGE 2: INTEGRATED IMPACT ASSESSMENT

Brief description of the affected service

1. Describe what the service does:

The Transportation Service is responsible for Road Safety. Road Safety is a statutory duty and the Council is obliged under the Road Traffic Act 1988 (Section 39) to prepare and carry out a programme of measures designed to promote road safety and prevent accidents. It is further recommended that each Local Authority produce a Road Safety Plan which sets out the strategy for improving safety and identifies clear targets. In this instance the targets are informed by the Scottish Government Road Safety Framework to 2030.

This is the seventh Road Safety Plan for Moray.

<p>2. Who are your main stakeholders? Road users, by all modes of transport, across Moray. Road safety partners - Police Scotland, Fire and Rescue Service, NHS Grampian, Transport Scotland</p>
<p>3. What changes as a result of the proposals? Is the service reduced or removed? There are no changes to the service resulting from the new Road Safety Plan.</p>
<p>4. How will this affect your customers? As there is no change to service, there will be no impact on customers.</p>
<p>5. Impact on staff providing the service – None duties with respect to Road Safety remain unchanged.</p>

6. Please indicate if these apply to any of the protected characteristics	
Protected groups	Potential impacts and considerations
Race	
Disability	An action of plan is to provide more active travel infrastructure to support movement by walking, wheeling and cycling. The needs of mobility and visually impaired road users will be taken into account in the design of this infrastructure.
Carers (for elderly, disabled or minors)	
Sex	
Pregnancy and maternity (including breastfeeding)	
Sexual orientation	
Age (include children, young people, midlife and older people)	An action of plan is to provide more active travel infrastructure to support movement by walking, wheeling and cycling. The needs of road user, (children, young people, midlife and older people) will be taken into account in the design of this infrastructure.
Religion, and or belief	
Gender reassignment	
Inequalities arising from socio-economic differences	An action of plan is to provide more active travel infrastructure to support movement by walking, wheeling and cycling. This is a benefit as persons with a low income are less likely to have access to a vehicle.

Human rights

List of convention rights	Describe, where applicable, if and how specific rights are engaged
Article 5: Right to liberty and security	
Article 6: Right to a fair trial	
Article 8: Right to respect for private and family life, correspondence and the home	
<i>Article 10: Freedom of expression</i>	
<i>Article 11: Freedom of assembly and association</i>	
<i>Article 12: Right to marry</i>	
<i>Article 14: Prohibition of discrimination (in relation to the convention rights)</i>	
<i>Article 1 of Protocol 1: Protection of property</i>	
<i>Article 2 of Protocol 1: Right to education</i>	
<i>Article 3 of Protocol 1: Right to free elections by secret ballot</i>	

Children's Rights and Wellbeing

Relevant articles – UNCRC	
Article 2 – Non discrimination	
Article 12 – Respect of the views of the child	
Article 3.1 – Best interest of the child	
Article 6.2 – Right to survival and development	

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

Performance data	
-------------------------	--

Internal consultation	This is the seventh Road Safety Plan for Moray. Internal consultation and consultation with key stakeholders/partners (e.g. Police Scotland) has been part of the development of this plan.
Consultation with affected groups	No direct consultation has been undertaken. However the provision of active travel infrastructure is part of the Active Travel Strategy which has been the subject of public and stakeholder consultation.
Local statistics	Accident data
National statistics	Accident data
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

Proposed active travel infrastructure will support travel by foot, cycle, wheeling by vulnerable road users including mobility/visually impaired persons, children and young people, midlife and older people.

The design of this infrastructure will take into consideration the needs of these groups.

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?

SECTION 3 CONCLUDING THE IIA

Concluding the IIA

1. No potential negative impacts on any of the protected groups were found.	X
2. Some potential negative impacts have been identified. The impacts relate to:	
Reducing discrimination, harassment, victimisation or other conduct prohibited under the Equality Act 2010	
Promoting equality of opportunity	
Fostering good relations	
3. The proposals interfere with human rights and/or the rights of the child	
4. Negative impacts can be mitigated the proposals as outlined in question 8	
5. The negative impacts cannot be fully mitigated but are justified as outlined in question 9.	
6. Further consultation with affected groups is needed.	
7. It is advised not to go ahead with the proposals.	

Decision:

Set out the rationale for deciding whether or not to proceed with the proposed actions: An action in the Road Safety is to provide active travel infrastructure which would be utilised by users with protected characteristics (Disability and Age). An individual Equalities Impact Assessment will be undertaken as individual schemes are developed to seek to maximise the benefits of each scheme for these user groups.

Date of Decision: 16 October 2023

Sign off and authorisation:

Service	Transportation
Department	Economic and Commercial Services
Policy/activity subject to IIA	
We have completed the integrated impact assessment for this policy/activity.	Name: Diane Anderson Position: Senior Engineer Transportation Date: 16 October 2023
Authorisation by head of service	Name: Nicola Moss Position: Head of Environmental and Commercial Services Date: 16 October 2023
Permission to publish on website -	
Please return this form to the Equal Opportunities Officer, Chief Executive's Office.	

A98 Fochabers to Aberdeenshire boundary

Review of Reported Injury Accidents 2013 to 2022

Concerns have been raised with regard to the number of accidents occurring on the A98 in recent years and a commitment was made to undertake a review of the accidents to establish if there were any trends or patterns which would inform any requirement for mitigation measures.

The A98 is a strategic route starting at the A96 in Fochabers, passing through an area of forestry commission land (Whiteash Hill Wood) and along the coastal plain to Cullen and the Moray boundary beyond. The road is a strategic route which carries both local and longer distance traffic, including commercial vehicles accessing harbours, distilleries and agriculture.

Traffic Flows and Vehicle Speeds

There are two permanent traffic counters sited on the A98; one in Arradoul and the other just to the east of B9018 junction between Cullen and the Moray boundary. These counters provide information on traffic volumes, the types of vehicles on the road and vehicle speeds. The following table summarises observed traffic counts and speed data from these two sites.

A98 Permanent Count Sites	AADT* (vehicles)		Average Speed (mph)	85th Percentile Speed (mph)
Arradoul (50mph)	9061	EB	46.9	52.6
		WB	48.5	54.7
East of B9018	4368	EB	51.1	59.1
		WB	51.4	59.3

* Annual Average Daily Traffic 2022

EB = Eastbound

WB - Westbound

Speed Limits

Speed limits on the public road network are informed by the roadside environment and the level of 'activity' adjacent to the public road. The A98 is a former Trunk Road which has been the subject of improvements over the years

to improve its alignment. The road is generally 7 metres wide with ample roadside verges. However on certain sections of the road there are frequent side road junctions (mainly private roads/tracks) and properties with direct accesses onto the road.

In 2009/2010 officers undertook speed limit reviews for all 'A' and 'B' Class Roads in Moray using the Scottish Government assessment criteria set out in their documents 'Setting Local Speed Limits' as described in the report to this committee on 13 October 2009 (Para 9 of the minutes refer).

The assessment included consideration of the speed limit in the rural settlement of Arradoul and found that when assessed against the criteria, the national speed limit could be considered. However as average (mean) speeds were between 41mph and 50mph, the existing 50mph speed limit, which has been in place since June 2001, was retained.

Reported Injury Accidents

Accidents are rare, random, multi-factor events always preceded by a situation in which one or more road users have failed to cope with their environment. When compared to Scotland as a whole, accident rates on all roads in Moray are low (see draft Road Safety Plan to 2030 Table on page 22).

When the numbers of reported injury accidents are low, the lack of statistical evidence means that it is difficult, if not impossible, to draw meaningful conclusions. Nevertheless, the draft Road Safety Plan highlights that 73% of drivers involved in reported injury accidents on the A98 reside in Moray, which indicates that drivers involved in accidents are likely to be familiar with the road.

Over the ten year period 2013 to 2022 there have been 33 injury accidents reported on the A98, resulting in 63 people being injured. Over the early years of this period a further 23 damage only accidents have been recorded. Damage only accidents are no longer recorded by the police and therefore the information is only useful to augment the injury accidents.

Recorded accidents on A98 Fochabers to Aberdeenshire 2013-2022

	Fatal	Serious	Slight	Damage Only	Grand Total	
2013			3	3	16	22
2014			3	2	3	8
2015			1	4	2	7
2016	1	1	1	1	1	4
2017			1	1	1	3
2018	1					1
2019	1	3	2			6
2020		1				1
2021				1		1
2022	1	1	1			3
Grand Total	4	14	15	23		56

Recorded casualties on A98 Fochabers to Aberdeenshire 2013-2022

	Fatal	Serious	Slight	Grand Total
2013		5	6	11
2014		3	4	7
2015		1	4	5
2016	1	3	1	5
2017		1	3	4
2018	1			1
2019	1	9	10	20
2020		2	4	6
2021			1	1
2022	1	1	1	3
Grand Total	4	25	34	63

Of the 4 accidents involving someone being killed one was a single vehicle, one involved multiple vehicles and a motorcycle. None were at a public road junction.

Of the remaining 29 injury accidents, 14 involved serious injury. This is where one party received wounds involving a broken major bone or overnight stay as a minimum.

Of the 33 injury accidents recorded in total:

- 2 involved pedestrians (1 in Cullen and 1 near Cullen);
- 1 involved a cyclist;
- 21 were not near a junction;
- 10 happened in the woods between A96 Fochabers East roundabout and Mill of Tynet (including 3 of the 4 fatal accidents);
- 4 happened around Mill of Tynet;
- 7 between Mill of Tynet and Arradoul;
- 1 in Arradoul;
- 9 between Arradoul and Cullen;
- 2 in Cullen;
- 25 happened during daylight hours; and
- 2 within street lit areas during darkness.

The diagram below shows the locations of accidents reported between 2013 and 2022:



Consideration of the above accidents shows no discernible pattern of accidents and no one location where there is a cluster of reported injury accidents.

There have been reports of concerns about ‘near misses’ at certain locations on the A98. These locations are generally where there are side roads (private) or individual accesses onto the A98. The presence of turning vehicles can increase the risk of an accident but there are measures that can be taken to reduce this risk including but not limited to, ensuring forward sightlines of stationary vehicles waiting to turning into a side road/access are available and ensuring that side roads and accesses have good visibility in both directions where they join the public road.

In order to minimise the numbers of new turning movements on the A98 into and out of private accesses and side roads, successive Local Development Plans have included a policy to only permit new accesses onto the A98 where there is a significant economic benefit or the access it to facilitate an allocated site within the plan (see Policy PP3 b) i).

Furthermore where proposed development would utilise an existing access, officers seek the provision of the required visibility splays and where this cannot be provided, object to the proposed development.

Where there is a history of reported injury accidents at a private access, the Roads Authority has the powers to seek the closure of such an access on road safety grounds. However there is a requirement to provide an alternative route if one does not already exist. This approach is generally the last resort, and only taken forward when all other options have been exhausted.

There have also been concerns raised regarding the speed of traffic on the A98 being a contributing factor to reported injury accidents and 'near misses'. It is recognised that there are sections of the road (generally the long straight sections of road where forward sightlines are good) where a number of vehicles have been observed driving at excessive speeds. There are therefore three Road Safety Camera sites in operation on the A98; one at Slackend, one near Broadley and one near Carnoch Farm with the aim of improving driver behaviour by targeting those travelling at excessive speeds. Further information on Road Safety Cameras can be found in the draft Road Safety Plan to 2030.

Finally, there have been concerns raised regarding a recent accident on the A98 in Arradoul. The Council has yet to receive the report from Police Scotland for this particular accident. Anecdotal evidence states that excessive vehicle speeds may have been a contributing factor. Council officers have passed the data collected from the permanent traffic count site in Arradoul to Police Scotland so they can use it to inform their accident reporting.



REPORT TO: ECONOMIC DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE ON 14 NOVEMBER 2023

SUBJECT: PORT MARINE SAFETY CODE QUARTERLY REPORT

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

1. REASON FOR REPORT

1.1 To inform the Committee on matters of Marine Safety and compliance with the Port Marine Safety Code (PMSC) for the period Q1 and Q2 year 2023/24.

1.2 This report is submitted to Committee in terms of Section III (F) (25) of the Council's Scheme of Administration relating to the functions of Council as Statutory Harbour Authority (SHA).

2. RECOMMENDATION

2.1 Committee is asked to consider and note the safety performance, fulfilling its function as Duty Holder under the Port Marine Safety Code.

3. BACKGROUND

3.1 Under the statutory requirements of the Port Marine Safety Code (PMSC) the organisation (Moray Council) must appoint a duty holder to ensure compliance with the PMSC is achieved. The organisation must provide a report on PMSC performance annually as a minimum.

3.2 The role of Duty Holders is held by Members of this committee. The role requires accountability for ensuring the organisation's compliance with the PMSC.

3.3 The Council, in its capacity as a Statutory Harbour Authority, is committed to undertaking and regulating marine operations to safeguard all its harbour areas, the users, the public and the environment through its Safety Management System (SMS).

4. **Q1/2 Review**

4.1 The following sections of the report set out an overview of marine safety performance for Q1 and Q2 of 2023/24.

PMSC Audit

4.2 A full annual audit of Moray Council compliance with PMSC was carried out by Marex Marine within their capacity as designated person. The Audit was conducted at Buckie Harbour Office on 27 March 2023 and concluded that the Moray Council harbours are compliant with the Port Marine Safety Code.

4.3 The Audit process made observations, mainly clerical in nature, which are provided in the table below.

Observations from PMSC Audit:

Observation	Progression
Review Harbour Bye-laws with particular regard to continued relevancy	Progression in reviewing Bye-laws with aim to deliver to legal services at end of Q4 2023/24
Consider cyber security protocols	Addition of cyber security policy to be added to SMS during review cycle.
Risk assessment review required	Annual Risk assessment review was delayed from February but carried out in June 2023 continuous review required to be seen in 2024 Audit.

Key Performance Indicators

4.4 Details of the Council's compliance with PMSC are provided below.

Q1/Q2 Accident, Incident and Near Miss Statistics

4.5 **Incident statistics Summary Table**

Quarter	Injuries	Incidents	Near Misses
1	0	0	1
2	1	0	0

4.6 Near Miss:

On 14 April 2023 a near miss occurred with a vessel leaving berth with divers ready to work. A vessel asked via radio for permission to leave berth and depart for sea. The watchkeepers checked traffic and gave permission for the vessel to depart. Approximately 20 minutes after this divers engaged in repair works to the North pier asked for clearance to enter the water. Permission was given believing entrance was clear. Before entering water divers noticed vessel still manoeuvring and abandoned entry preparations. The harbour office was notified of the near miss and report made. No injuries occurred. Lack of sight from temporary harbour office was determined to be root cause of the near

miss. As a result of the near miss, all staff were reminded that traffic clearance and movements must be confirmed fully by sight and radio before any works can be initiated.

4.7 Accident:

On 13 September 2023 works commenced by street lighting service on North Pier to repair pier lighting. On confirmation that all relevant health and safety controls had been met, work commenced. During the works, an employee fell from approximately 2 metre height sustaining an arm injury. The casualty was taken to hospital and diagnosed with broken arm. As a result of the injury, the employee required long term absence from work for recovery. Street lighting service have completed the relevant incident reports with Harbourmaster being forwarded the information for PMSC reporting requirements.

Aids to Navigation

- 4.8 As a Local Lighthouse Authority, Moray Council is required to report the availability of all of its navigational lights to the Northern Lighthouse Board in March of each year.
- 4.9 New solar powered lights are currently being installed in Burghead and Buckie. The new solar powered lighting will decrease the number of faults observed and as a result lead to an increase in the availability figures for all navigational aids. This work has been funded by Scottish Government Marine Fund Scotland Scheme and installation will be completed after completion of harbour office move and appropriate weather conditions exist with a target completion by end of December 23.
- 4.10 Buckie navigational light installed June 2023: Notice to Mariners 04 2022 was issued on the 15 of December 2022 notifying all mariners that the Mucks Navigation light is extinguished. A suitable temporary replacement was located and installed on the next weather/tidal window which occurred on 14th of February 2023. While this light was not the correct sequence it helped highlight the Mucks to vessels. The correct light, once purchased, was installed in June 2023
- 4.11 Due to shore side power issues, power had to be isolated to the Buckie West pier (green) navigation lights due to safety requirements. Installation of the new solar light was completed on the 31st of July 2023. This changed the sequence from 2 fixed green lights to a single flashing green light. Preparations are being made for the other lights which will be completed after the power upgrade is complete.
- 4.12 Burghead navigation solar lights installed October 2023: Notice to Mariners 02 2021 was issued on the 8th of September 2021 notifying all mariners that the Burghead Navigation light is extinguished. This light was re-instated on the 4th of October 2023 to the same sequence and range as before. Three additional lights in Burghead were changed over to solar lights at the same time, all the sequences remain the same as previous with a slight change in

the range of these lights. The appropriate notifications have been made to the Northern Lighthouse Board.

- 4.13 The table below summarises the availability of Navigational lights under Moray Council's responsibility.



Aton Availability By Category

IALA Category	No Of Aids	Total Hours	No Of Failures	OOS Hours	MTTR	MTBF	Availability	Target Availability
Moray Council								
CAT 1	1	26,280	1	1456:30	1456:30	24823:30	94.46%	99.80%
CAT 2	15	394,200	3	44350:33	14783:31	116616:29	88.75%	99.00%
CAT 3	4	105,120	0	0:00	0:00	0:00	100.00%	97.00%
No Category	0	0	0	0:00	0:00	0:00	0.00%	0.00%
Totals		20						

Criteria:

Date Range from [05/10/2020 00:00:00 to 05/10/2023 00:00:00]
 Third party Organisations are not included.
 Organisations [Moray Council].
 Filter [LLA AtoN].
 User [DBremner] belonging to Organisation(s) [Moray Council]

1 of 1

OOS Hours = Out of Service Hours, MTTR = Mean Time to Repair, MTBF = Mean Time Between Failures

05/10/2023 11:39:08

The 'Availability Objective' is calculated over a rolling 3-year period. This means that over this period a Cat 1 Aid to Navigation needs to be functional for 99.8% of the time.

Pilotage

- 4.14 Pilotage is not compulsory at Buckie harbour, therefore, not all cargo movements require the services of a pilot. The number of pilotage acts carried out in quarters 1 and 2 of 2023/24 was 20 acts of pilotage in relation to 27 vessel movements, 3 of which were at night.

Training

- 4.15 There are currently two full time members of staff deemed competent to pilot restricted to daylight hours. Currently, one additional pilot unrestricted is also retained on staff only for pilotage duties. Training will begin for other harbour staff during Q3/4 with 2 new harbour assistants beginning training as soon as possible.
- 4.16 Refresher training for Port Facility Security officer has been completed by Harbourmaster. Full Port Facility Security training was also completed by 2 members of staff who are awaiting required documentation from government to finalise the accreditation. Currently harbours are compliant with PMSC and International ship and port facility code (ISPS) the additional trained staff will provide resilience and shared responsibilities.

- 4.17 Training has also been completed during Q1/2 as follows:
- First Aid for 3 staff members.
 - VHF training for 2 staff members
 - Powerboat level 2 training for 1 staff member
 - International convention on standards of training, certification and watchkeeping for seafarers (STCW) refresher training for 1 staff member.

Staffing

- 4.18 Currently recruitment for a new harbour assistant is underway with interviews scheduled for mid-November.
- 4.19 Recruitment for MV Selkie staff has been delayed due to prioritisation of staffing issues within the harbour office however, a new recruitment round for vessel master is being planned to be undertaken during Q3/4.

Conservancy

- 4.20 Dredging has continued during Q1 and Q2 of 2023/24, with priority given to Buckie basin 4 and Burghead channel when weather and tide permitted.
- 4.21 From 1 April 2023 to 30 September 2023 the total amount of spoil removed to designated spoil grounds was 6,820 Tonnes (Q1 2040 Tonnes, Q2 3,960 Tonnes) over 39 digging days. This includes the harbours at Burghead and Buckie (see table 2 para 4.26).
- 4.22 Burghead groyne regeneration project was completed at the end of June 23 within budget.
- 4.23 In Buckie the current depth under chart datum is officially 2.5 Metres with relevant Notice to Mariners promulgated. There has been significant improvement in the depth of the channel as a result of work carried out in 2022/23. Indication from Selkie and pilot boat sounding is that depth under chart datum exceeds 2.5 metres. These soundings have been confirmed by a bathymetric survey completed in September with no depth less than 2.5 metres in the navigational channel. External contractor dredging works are being completed during October 2023 to bring all depths to a minimum of 3.0 Metres in the channel and basins 1 and 2 with Selkie continuing work in Basin 3 and 4 as well as works in Burghead.
- 4.24 There is a Notice to Mariners published warning vessels of the fluctuating depths within the entrance channel of Burghead advising all mariners to contact Harbourmaster for accurate information and tidal information. Once works have been completed in all areas relevant Notice to mariners will be completed with updated controlling depths.

4.25 The priority areas for dredging remain Burghead (sand bank approaching harbour entrance) and Buckie. The agreed capital works to undertake outsourced dredging, (agreed on 29 June 2022 paragraph 22 of the minute refers,) is currently progressing with vessel Aase Hoj which arrived 03 October carrying out works in Buckie harbour currently. The planned works are estimated to take up to 1 month and will incorporate work to dredge all harbour basins in Buckie utilising a combination of Selkie and the external vessel. Other dredging requirements include:

- Hopeman: Awaiting Marine licence which is planned to include ability to dispose of spoil on Land. Expected imminently, once received plans for land based dredging to be completed in Q1 2024/25 will be finalised. Dredging by sea planned for Q3/4 2023/24 by use of Selkie.
- Findochty: Entrance channel works planned for Q3 2023/24.

Selkie

4.26 MV Selkie has completed works within Buckie and Burghead during Q1/Q2 of 2023/24. The table below summarises the work carried out during this period:

Table 1: Days worked and total tonnage removed comparison

Year	Days working	Weather days	Maintenance	Working days %	Tonnage Removed
2023/24 Q2	19	8	2	66	3,960
2023/24 Q1	20	5	14	51	2,860
2023/24 Q4	17	25	7	35	2,440
2022/23 Q3	23	13	14	46	3,240
2022/23 Q2	24	17	14	44	3,260
2022/23 Q1	30	12	20	48	3,460
2021/22 Q4	24	30	9	38	3,330

Table 2: Summary of works carried out per harbour during Q1 and Q2

Q1	Cumulative working days	Cumulative weather days	Cumulative maintenance days	Tonnage removed
Buckie	15	5	14	2,040
Burghead	5	0	0	820
Total (%)	20 (51)	5 (13)	14 (36)	2,860

Q2	Cumulative working days	Cumulative weather days	Cumulative maintenance days	Tonnage removed
Buckie	19	8	2	3,960
Total (%)	19 (66)	8 (28)	2 (6)	3,960

- 4.27 During the Q1/ Q2 period of 2023/24 there has been an improvement on working days compared to the previous quarter (Q4 2022/23, 35% see Table 1 para 4.25). This improvement in working day percentage has resulted in a large tonnage of spoil deposited particularly in Q2 with 3960 tonnes taken to spoil in only 19 days of work.
- 4.28 The updated figures for the current year 2023/24 are now 50% working days 30% weather days and 20% maintenance days (unplanned). This is just reaching the target KPI of 50% working days (see paragraph 4.33).

Table 3: Comparison of working days compared to weather and maintenance

Year	Days working %	Weather days %	Maintenance %
2023/24 current Total	50	30	20
2023/24 Q2	66	28	6
2023/24 Q1	51	13	36
2022/23 Total	46	25	29
2022/23 Q4	35	51	14
2022/23 Q3	46	26	28
2022/23 Q2	44	31	25
2022/23 Q1	48	20	32

- 4.29 The plan for increased efficiency moving forward is to maximise the number of days crewed on vessel as much as practically possible whilst adhering to contractual rest day requirements. Scheduling of large scale maintenance during crew rest days (unmanned days) so that maximum digging day availability exists. Scheduling of the vessel to maximise days on board where weather is expected to be the best

Environmental Considerations

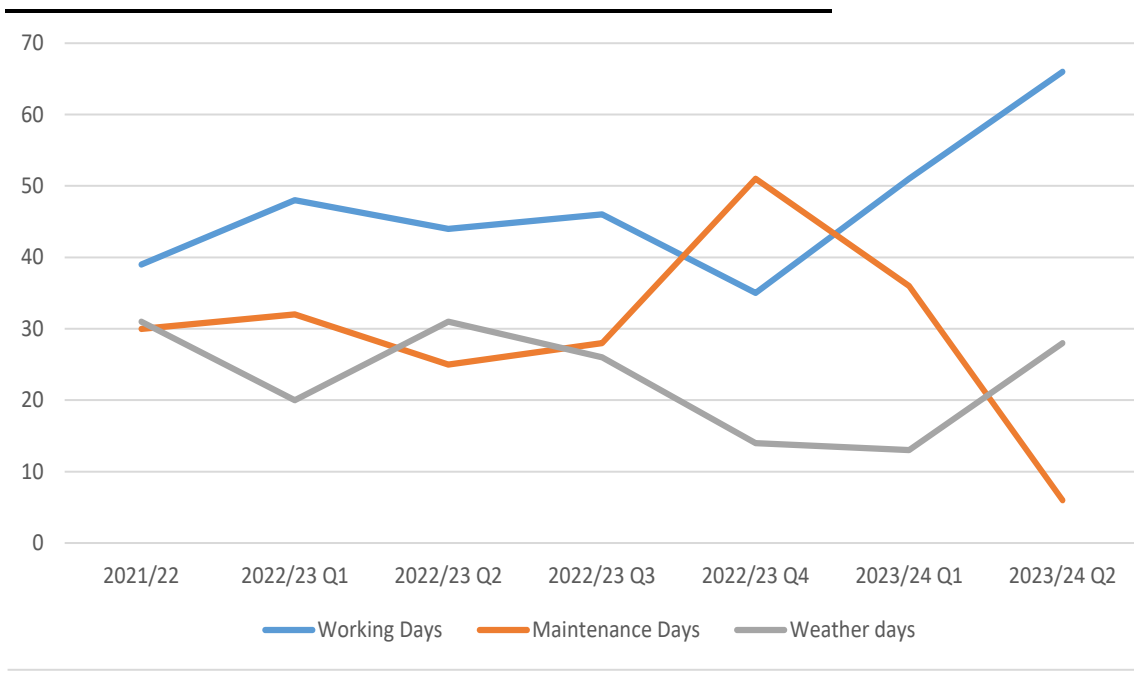
- 4.30 There has been continuing work carried out with the focus on lowering carbon emissions and promoting overall environmentally sound practices within the harbours. This includes work currently progressing to upgrade the electrical infrastructure available within Buckie harbour, allowing less reliance on fossil fuel generators for power. This work is due to be completed by end of Q3.

KPI Summary Table

KPI	Progress at the end of Q2	Completion Target Date
Conservancy		
Buckie Channel Depth 3.0M	Current official depth improved to 2.5M confirmed by bathymetric survey. External dredging programme continuing work	31/12/23
Buckie Basin 1/2/ depth 3.0M	Current depth 2.2M	Review of progress 31/10/23 Fully achieved by 31/12/23
Provide 0.3M channel Burghead	Current depth 0.0M	Review of progress 31/10/23 Fully achieved by 31/03/24
Productivity		
Maintenance days less than	Currently 20% for 2023/24	Continuous review

KPI	Progress at the end of Q2	Completion Target Date
20%		
Working days greater than 50%	Currently 50% for 2023/24	Continuous review
Total minimum tonnage removed above 14,120 Tonnes (aspirational target 18,000 Tonnes)	End of Q2 6,820 (annual projection therefore 13,640)	31/03/24
Total working days above 77 (target 100)	39 end of Q2 (therefore on track to reach KPI)	31/03/24
Staffing		
Full Time master	recruitment campaign (long term skilled agency worker currently)	30/09/22 postponed due to staffing issues within harbour office and long term absence. reviewed target 31/03/24
Safety management/ Maintenance		
SMS review and Update	Reviewed and awaiting audit review by designated person to be carried out Feb 24	15/02/24
Full Risk assessment update	annual review completed.	31/10/23
Financial		
Lower Running costs to within Budget	To be reviewed	31/03/24

4.32 Graph of Selkie Working day % trends per quarter



4.33 The general pattern of Selkie working day availability compared across quarters is showing an overall decrease in unplanned maintenance days and overall increase in working days. There is however still continued improvement required to maintain the desired KPIs highlighted in the table in paragraph 4.34 above now that they have been reached in q2. The anomaly in Q4 was a result in delays for parts from a supplier which resulted in increased unplanned maintenance days. A trend graph will continue to be added in future reports to highlight progress toward KPIs identified for working day and maintenance day targets.

5. **General Safety Updates**

Safety related works

5.1 There have been a number of jobs completed during Q1/2 improving safety conditions within all harbours, these works include:

- Various lighting repairs in all harbours.
- Remove protruding piece of rebar at Buckie causing a health and safety risk.
- Housekeeping across all harbours ensuring all areas are safe and clean.
- Move and replace cargo vessel fenders in Buckie.
- Replace lifebuoy ropes in all harbours where needed.
- Install handrails to allow safer egress.
- Capital works to install rock armour completed in Findochty allowing the road to be opened again.
- Full survey of all anchors, chains and under sides of the Findochty pontoons carried out by a dive team. Some components also replaced by same team.
- Change out various rope ladders across all harbours.
- Various pieces of safety equipment replaced on Pathfinder and annual midterm survey completed with only minor issues which were all corrected within 2 weeks.
- All ice machines and chills inspected by specialist to ensure they were working in a safe and efficient manner
- Modifications made to the rescue ladders on the pontoons at Findochty so the bottom rung sits lower in the water making getting onto it easier.
- Repairs to boards on Findochty pontoons
- New ground chain and risers installed to the Portknockie Pontoons to reduce the swing at the bottom of the tide.
- Steelwork protruding from the pier in Cullen removed to make it safer for those jumping in.

Master action List

5.2 *List of safety related jobs required to be completed in all harbours comprising the Master action list:*

Priority category	Number of safety related jobs needing completion at beginning of Q1	Number of safety related jobs still outstanding at end of Q2	Total safety related jobs completed during Q1/2
1	17	0	17
2	46	15	31
3	40	18	22
4	29	16	13
Totals	132	49	83

5.3 Master action list is a list of all safety related jobs required within the harbours segregated in to 4 categories. Category 1 deemed the most important.

- There are no remaining priority 1 items

Signage

5.4 New signs were received and installed at all harbours. This included:

1. Signs to restrict general access to the pontoons.
2. Harbour operations signs.
3. Designated visitor berths.
4. Operational speed restrictions.

6. Buckie Harbour Operational Update

- 6.1 All leases and relevant legal papers have been concluded and signed with respect to offshore wind energy Operation and Maintenance (O&M) base. Work to begin on new office buildings and quayside assets for offshore wind base are now well underway.
- 6.2 Buckie harbour office now temporarily located within the former Buckie Drifter building and remains fully operational in shared building with Offshore wind energy company as new office buildings are developed for Harbour office and Offshore wind O&M base, this is due to be completed by end of Q4
- 6.3 New weighbridge constructed and completed to west side of existing Fishmarket building providing new improved weighbridge facility. Facility has safer accessibility as well as closer proximity to cargo handling facilities and eventual harbour office location. Due to identified issues with calibration weighbridge was not operational during Q1/2. This has now been resolved and weighbridge is now operational.

6.4 Electrical infrastructure upgrade works currently in progress due to be completed Mid November.

7. **Objectives identified for remaining quarters of 2023/24**

- Undertake further reviews of Marine Policy and Harbour Bye-laws.
- Review training requirements and request necessary training.
- Continue momentum of Pilot training and accreditation leading to 2 fully competent Pilots within the Harbour team by end of Q3.

8. **SUMMARY OF IMPLICATIONS**

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

Sustainable harbours maintained to operate safely and efficiently contribute to the economic development of Moray.

(b) **Policy and Legal**

Non-compliance with the PMSC will have legal implications.

(c) **Financial implications**

Non-compliance of the PMSC may have financial implications.

(d) **Risk Implications**

Failure to comply with the PMSC could result in prosecution of the authority.

(e) **Staffing Implications**

No staffing implications arise from this report.

(f) **Property**

There are no property implications arising from this report.

(g) **Equalities/Socio Economic Impact**

There are no specific equalities matters, however, the Equalities Officer has been consulted and comments incorporated into this report.

(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 and Finance), Head of Environmental and Commercial Services, Legal Services Manager, Head of Financial Services, Committee Services Officer (L Rowan), and Equalities Officer have all been consulted and their comments incorporated into this report.

9. CONCLUSION

- 9.1 The Council is currently deemed to be compliant with the PMSC, however, work to maintain a safe environment remains an ongoing matter in a dynamic environment. Diligent staffing and constant monitoring and risk assessing will be utilised to maintain compliance as demands evolve.**

Author of Report: Stuart Akass, Development and Operations Manager
(Harbours)

Background Papers:

Ref: SPMAN-524642768-985



REPORT TO: ECONOMIC DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE 14 NOVEMBER 2023

SUBJECT: BIODIVERSITY DUTY REPORT 2021-2023

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

1. REASON FOR REPORT

- 1.1 To ask the Committee to agree the content of the council's Biodiversity Duty Report 2021-2023.
- 1.2 This report is submitted to Committee in terms of Section III (F) (13) of the Council's Scheme of Administration relating to matters regarding environmental protection.

2. RECOMMENDATION

- 2.1 It is recommended that Committee agree the content of the Biodiversity Duty Report 2021-23 set out in Appendix 1 that will be issued to the Scottish Government.**

3. BACKGROUND

- 3.1 Biodiversity loss and ecosystem collapse are one of the most severe and likely risks to humanity. In recognition of this, under the Nature Conservation (Scotland) Act 2004, all public bodies in Scotland have a duty to further the conservation of biodiversity when carrying out their responsibilities. In accordance with the Wildlife and Natural Environment (Scotland) Act 2011 public bodies must also publicly report its compliance with this biodiversity duty.
- 3.2 Biodiversity duty reports are required every three years, and are not only about protecting biodiversity through managing specific sites, habitats and species but also aim to:
- Increase the level of understanding and connection between people and the living environment.
 - Promote consideration of all our impacts on the natural world through our actions and decisions, including through procurement and use of resources; and,

- Encourage staff, partners and customers to engage with, understand and consider biodiversity.

3.3 On 2 February 2023 Moray Council formally recognised that we are facing a nature emergency (para 9 of the minute refers). Our economies, livelihoods and well-being all depend on nature, which is being lost at an alarming rate. Biodiversity underpins our economy, for example our food and drink production rely on healthy soils, pollination and clean water. Nature is also our greatest store of carbon and is a cost effective way to mitigate the impacts of extreme weather such as flooding and heatwaves. The social and cultural value of nature further extend to improved health and wellbeing as well as educational outcomes.

3.4 The council's statutory responsibilities and influence over these areas are wide ranging, from land regulation through planning to direct impacts as a land owner. The Biodiversity Duty Report set out in **Appendix 1** will be issued to the Scottish Government and made publicly available on the Council's website on 1 January 2024.

4. HIGHLIGHTS OF THE BIODIVERSITY REPORT

4.1 Action to protect and enhance biodiversity

4.2 Much of the activity outlined in the report was already reported to this committee on 2 May 2023 (para 20 of the minute refers) but the report provides additional detail on;

- Implementation of the National Planning Framework 4 (NPF4) this year, with significantly stronger policies on biodiversity and climate change;
- Developments within the gathering of evidence for the next Local Development Plan and Moray Nature Network;
- Nature positive management of council land, including wildflower program, improvement of key nature sites, invasive non-native species removal, installation of rain gardens and supporting communities to grow food on council land;
- Work with communities to identify and implement improvements in public spaces, schools and new developments;
- Participation in the North East Scotland Biodiversity Partnership's work to engage individuals, communities, businesses and developers to take action on the priorities for nature in our local area.

The report acknowledges the challenges to effectively deliver this work with the limited resources available.

Mainstreaming within Moray Council

4.3 The report summarises policies, plans, guidance and strategies that are embedding biodiversity considerations within council decisions and actions. These include: supplementary planning guidance and NPF 4, the Climate Change Strategy, climate change and biodiversity implications section within committee reports, adjusted operational procedures for grass cutting, training

delivered including Carbon Literacy and a new staff e-module on climate change.

Climate change adaptation and nature based solutions

- 4.4 The Climate Change Strategy and its delivery plan acknowledge climate change and biodiversity loss as twin crises requiring a combined response. Reducing carbon emissions and adapting to the impacts of climate change both require us to work with nature and this is recognised across a number of strategies and plans. Opportunities for synergies between these to deliver nature based solutions to climate change are currently being explored.
- 4.5 The main climate impacts relevant to biodiversity in Moray in the next three years are also highlighted in the report as:
- Extreme weather events, such as flooding, damage and loss of forests caused by storms and of forest/heath/dune habitats caused by wildfires
 - Ecosystem changes increasing the risk of invasive species and diseases as well as disrupted synchronisation of various species and their emergence/breeding/food sources.

Engagement and understanding

- 4.6 This section of the report acknowledges the limited resources the council has to deliver environmental engagement. It does highlight some excellent examples of where good work has been possible, including high quality outdoor learning provided by some schools, engagement undertaken by the North East Biodiversity Partnership, community engagement (particularly for the Local Development Plan), celebrating successes through press and social media, and staff undertaking learning/ sharing opportunities.

Research and monitoring

- 4.7 A range of research has been undertaken in 2023, driven by a number of interlinking statutory duties covering requirements for the Evidence Report for the next Local Development Plan, the introduction of NPF4, the Climate Change (Scotland) Act 2009 and efforts to meet the council's emissions reductions target, and the expected increase in responsibilities for public bodies under the new Scottish Biodiversity Strategy. The studies outlined in the report have involved extensive desk based research and initial ecological surveys in order to advance the council's understanding of biodiversity within Moray.
- 4.8 Monitoring has been a challenge to resource, however the Nature Restoration Fund has enabled some ecological surveys of key nature sites to be commissioned.. There are plans to develop performance indicators that will be essential for measuring the impact of biodiversity enhancements through planning, within the Nature Network, and carbon offsetting projects.

Future challenges

- 4.9 Future challenges were identified as:

- Staff capacity and resource pressures to deliver direct enhancements and engagement/ training
- Delivery and monitoring of 'enhancement' via NPF4
- Development and monitoring of the Nature Network
- Collaborative and co-ordinated working across departments
- Achieving carbon insetting by investing in natural capital enhancements
- Adapting to climate impacts using Nature based Solutions (especially school estate and mitigation of flood risk)

5. **SUMMARY OF IMPLICATIONS**

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

Action on biodiversity loss supports the delivery of corporate plan priorities for people, place and the future by; improving health and wellbeing, strengthening communities, minimising harm and costs arising from climate change impacts and creating economic opportunities.

(b) Policy and Legal

Public bodies in Scotland are required to further the conservation of biodiversity and to publicly report compliance with this duty under the following legislation:

- Nature Conservation (Scotland) Act 2004
- Wildlife and Natural Environment (Scotland) Act 2011
- NPF 4
- Local Development Plan 2020

(c) Financial implications

The Nature Restoration Fund direct grant allocations of £471,000 over the reporting period have made delivery of a range of practical actions possible. Without this funding, it is difficult to see how the council could have meaningfully contributed to furthering the conservation of biodiversity on its own land given funding constraints.

(d) Risk Implications

Challenges have been highlighted within the report which may pose a risk to the council's compliance with the Biodiversity Duty in future.

(e) Staffing Implications

The council has endeavoured to deliver its basic statutory duty with constrained resources over the period 2021-23. It should be recognised that statutory responsibilities for biodiversity have significantly increased through NPF4 and are likely to increase further through the adoption of the Scottish Biodiversity Strategy and the proposed Natural Environment Bill. Current staffing levels would be unable to absorb additional duties without additional funding being provided..

(f) Property

The future challenges highlighted in 4.9 may impact on the enhancement of council land.

(g) Equalities/Socio Economic Impact

Equal access to quality greenspace is important for health, wellbeing, community cohesion, child development and limiting harm from pollution. Improving biodiversity presents opportunities to reduce inequality.

(h) Climate Change and Biodiversity Impacts

The council's duties and activities have a significant impact on the biodiversity of Moray.

The risks associated with the loss of vital ecosystem services range from disrupted food systems and water supplies to increased damage resulting from climate change impacts and reduced capacity to absorb carbon emissions. Failure to act now will lead to catastrophic implications on our economy and the health and wellbeing of future generations.

Full delivery of the council's Biodiversity Duty is therefore of vital importance and the future challenges highlighted in 4.9 should be noted.

(i) Consultations

The Depute Chief Executive (Economy, Environment and Finance), Head of Economic Growth and Development, the Legal Services Manager, Environmental Protection Manager, Open Spaces Manager, Chief Financial Officer, Lissa Rowan (Committee Services Officer) and Equal Opportunities Officer have been consulted and comments received have been incorporated into the report.

6. CONCLUSION

6.1 The council's Biodiversity Duty Report 2021-23 outlines the actions taken to protect, enhance and restore biodiversity.

6.2 Statutory obligations related to biodiversity have increased over the reporting period. While understanding of, and action taken to reverse, biodiversity loss has also increased, this has been delivered within existing staff capacity.

Author of Report: Sophie Ward, Climate Change Strategy Officer
Background Papers: Economic Development and Infrastructure Services Committee, 2 May 2023

MORAY COUNCIL BIODIVERSITY DUTY REPORT 2021-23



1 Contents

2	Introduction	2
2.1	Moray Council’s Biodiversity Duty	2
3	Actions to protect and enhance biodiversity.....	2
3.1	Biodiversity enhancement though the planning process	2
3.2	Nature Positive Management of Council Land	4
3.3	Work with Communities	6
3.4	Partnership working.....	6
4	Mainstreaming biodiversity within the organisation.....	6
5	Climate change adaptation and nature based solutions	7
5.1	Main climate related risks.....	7
6	Public engagement and workforce development.....	7
6.1	Community engagement	8
6.2	Outdoor learning.....	8
6.3	Opportunities to celebrate successes	8
6.4	Participation in the North East Scotland Biodiversity Partnership (NESBiP)	9
6.5	Workforce development.....	9
7	Monitoring and research	9
7.1	Research.....	9
7.2	Monitoring	10
8	Highlights	10
9	Future challenges.....	10

2 Introduction

Biodiversity loss and ecosystem collapse are one of the most severe and likely risks to humanity¹. Under the Nature Conservation (Scotland) Act 2004 all public bodies in Scotland have a duty to further the conservation of biodiversity when carrying out their responsibilities. In accordance with the Wildlife and Natural Environment (Scotland) Act 2011 public bodies must also publicly report its compliance with this biodiversity duty. This report outlines how the Moray Council has fulfilled its biodiversity duty over the period 2021 to 2023.

2.1 Moray Council's Biodiversity Duty

Moray Council covers an area of 2238 square kilometres, with a predominantly rural population of just over 96,000. It is an area of rich landscapes including mountains within the Cairngorm National Park, 28% forest cover and a diverse coastline and marine ecosystem. There are 49 protected areas within Moray.

As a large organisation, the council covers a wide range of services and operations that have an environmental impact and is committed to acting on the causes of climate change and biodiversity loss, and to take action to adapt to climate impacts.

The council has a responsibility as a planning authority through the preparation and delivery of the Local Development Plan and through delivery of National Planning Framework. Both include policies which aim to protect and enhance biodiversity. The next Local Development Plan will facilitate the creation and conservation of a Nature Network to support connectivity between protected areas and between urban-rural areas. The Moray Forestry and Woodland Strategy informs woodland creation and related activities, and the council also administers Tree Preservation Orders. Strategic plans for areas at risk of coastal change are currently at consultation stage and the council has active flood risk management plans.

The council is also responsible for the management and maintenance of all council open spaces including parks, woodlands, cemeteries, school grounds, road verges and play areas, and for delivery of a Core Paths Plan. There are also opportunities to enhance biodiversity through working with partners and communities to deliver place based projects.

As an education authority the council has a duty to connect young people with nature through the Curriculum for Excellence in Outdoor Learning and Learning for Sustainability.

3 Actions to protect and enhance biodiversity

Recognition of the scale and pace of biodiversity loss are driving Moray Council to take action. The main developments are outlined in the following sections, but a broader, strategic approach is currently being explored to bring these various streams together. This approach will deliver multi benefit natural capital, enhance and link spaces for nature, tourism, recreation, health, learning, develop local supply chain and nature based skills (see in particular the work highlighted in sections 3.1 and 7.1).

3.1 Biodiversity enhancement through the planning process

Moray Council's existing local development plan policies aim to protect and enhance biodiversity, including through connectivity and the use of nature based solutions. These are now being delivered

¹ <https://www.weforum.org/reports/global-risks-report-2023/digest>

in conjunction with the strengthened biodiversity policies within the National Planning Framework (NPF4).

The council is undertaking a range of work to embed the urgency of reversing biodiversity loss and restoring nature through the next Local Development Plan due to be published in 2027.

- Local habitats and species data is being collated and mapped. This evidence will be used in the evidence report for the new local development plan and forms the first stage of opportunity mapping for a Moray Nature Network. The next stage, including consultation with key stakeholders, is due to take place in 2024.
- The revised Woodland and Forestry Strategy brings together opportunities for biodiversity, carbon reduction, health and wellbeing as well as skills development and the economy. The strategy will support the Scottish Biodiversity Strategy's action to: "Ensure that productive forests and woodlands deliver increased biodiversity and habitat connectivity as well as timber production".
- A baseline review of natural capital was undertaken in 2023, identifying opportunities for carbon sequestration and biodiversity enhancement on both Moray Council land and across the Moray area. The study recommended a biodiversity first approach to pursuing opportunities for carbon offsetting and will inform climate mitigation, adaptation and biodiversity enhancements as well as development of the green economy and skills.
- The public call for ideas has also highlighted opportunities for supporting nature across Moray that will be fed into the plan.

3.2 Nature Positive Management of Council Land



A living lawn and wildflower program was introduced in 2020 to support the national strategy for action on pollinators. New sites have been added each year, with 27 areas across Moray now benefitting from wildflower planting and/or adjusted mowing patterns covering an area of 5.5ha. Simple signage has engaged public support for these improvements and more areas will be introduced as they are identified and subject to funding.

Part of Quarry Wood SSSI, an area of ancient upland oak woodland is under council ownership however limited resources have prevented active management of the site in recent years. As the SSSI is in 'unfavourable declining condition', a new management plan and restoration operations have recently begun. Again, the sooner the site comes under active management the lower the cost of restoration will be.

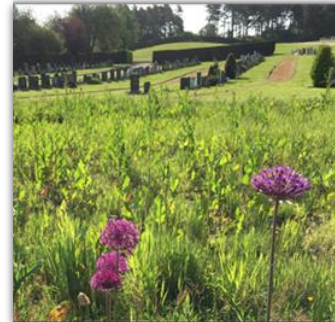


Another large area of council land, Millbuies, now has a plan in place to protect and enhance the woodland and loch for both nature and public enjoyment. Restructuring of the woodland for biodiversity benefit and resilience to climate impacts has begun, starting with the replacement of commercially planted Sitka spruce stands with mixed native broadleaves and Scots pine, and a gradual transition towards continuous cover forestry. Nest boxes for bats, kestrel and barn owls have also been installed and *R. ponticum* removal undertaken.



The Wards wildlife site, an urban wetland and predominantly wild space also has a new management plan in place, with community engagement and gradual wetland improvements currently underway. Wetland scrapes have been created and local provenance wildflowers planted. Swift boxes have been installed on two council owned buildings adjacent to the wetland.

Two rain gardens have been created at Clovenside cemetery and Forres Academy to mitigate flooding as a result of heavy rainfall. The areas have been planted with native trees and a mix of wildflowers.



The use of glyphosate based herbicides to treat unwanted vegetation is being monitored, with its application being minimised where practical. This involves recognition of the value that flowering plants offer to pollinators and tolerance of a greater presence of weeds. Reductions of glyphosate application include; limited strimming around tree bases, signs, benches and drain covers instead; all play areas except for those where weeds can easily establish and need to be controlled for the safety surfacing to be effective; using alternative methods such as mulching shrub beds to suppress weed growth.

The Core Path network is positively managed to enhance biodiversity and the council continues to support communities to deliver on the ground projects including Elgin allotments, REAP's therapeutic garden and various community orchards and other edible planting in suitable locations.



The council has undertaken control of Giant hogweed, Japanese knotweed, Himalayan balsam and Rhododendron ponticum on council land and through supporting the work of the Scottish Invasive Species Initiative (SISI). Invasive species control now, and the co-ordinated approach of SISI in particular, will avoid escalating future costs to the council and general public.

Much of the above work has only been possible due to the Scottish Government's Nature Restoration Fund direct grant, and even so there have been challenges. Limited staff resources across several services and short delivery windows for the grant have restricted what can be achieved.

Going forward there are plans to combine projects and add value through collaboration, for example the Nature Network, Open Space Strategy and Moray Growth Deal Housing Mix Delivery project and town centre improvement plans.

3.3 Work with Communities

Sites included in the wildflower program have been identified in consultation with communities, with some areas being led by and delivered by community groups. A map of wildflower areas has recently been added to the council's website to support public engagement.

Many schools have been taking opportunities to improve outdoor learning environments to support deliver of this approach to learning which is embedded in the curriculum (see 6.2 below). These spaces often directly enhance biodiversity in addition to connecting young people with nature and developing green skills within the young workforce.

The Moray Growth Deal projects are developing learning opportunities, such as innovative design in the Housing Mix project to maximise access to nature, and plans for a dedicated outdoor learning hub for young children.

Biodiversity is a key benefit identified within the Moray Food Growing Strategy. The council supports communities to deliver on the ground projects including Elgin allotments, Greenfingers therapeutic horticultural project and REAP's therapeutic garden and various community orchards and other edible planting in suitable locations.

3.4 Partnership working

The council contributes to and participates in the management of the North East Scotland Biodiversity Partnership (NESBiP). NESBiP produced and maintains an action plan, which outlines the habitats and species in most need of urgent local action. The resources provided by the partnership support developers to make locally significant improvements to biodiversity within new developments, and also guide and engage individuals and communities to take local action. Successful social media channels and engagement events provide support and education for the public to help nature through volunteering, citizen science and home gardening.

4 Mainstreaming biodiversity within the organisation

Moray Council is working to embed biodiversity considerations throughout a number of policies, plans, guidance and strategies with the limited resources available.

- The Climate Change Strategy, published in 2021, highlighted biodiversity as a key theme. The associated action plan now includes several actions that recognise the council's existing action on biodiversity, providing a governance structure for monitoring progress in this area.
- All committee reports are now required to identify climate change and biodiversity implications.
- The wildflower programme has involved changing management practices on council land, with operational staff delivering the ongoing maintenance of these areas including reduced mowing and the use of new cut and lift machinery.
- The council agreed to further reduce the use of herbicide use through a managed approach in certain settings and is monitoring the cost and effectiveness of alternative

approaches. It is recognised that glyphosate based herbicides may need to be phased out in the near future.

- Carbon Literacy training and a short e-module have highlighted the importance of using nature based solutions to climate change to staff and elected members.
- Supplementary planning guidance on biodiversity continues to be delivered alongside NPF4. New biodiversity guidance and training for planners is currently in development.

Moray Council aims to produce a Biodiversity Strategy in 2024. Multiple strategies, policies and plans currently cover the protection and restoration of nature, but a focused strategy will synthesise the key actions and support the delivery of a landscape scale approach via the Moray Nature Network.

5 Climate change adaptation and nature based solutions

The Climate Change Strategy and its delivery plan acknowledge climate change and biodiversity loss as twin crises requiring a combined response, including the vision to ‘work to retain, protect and enhance biodiversity across Moray’. Actions from the climate change delivery plan include management of council land to maximise carbon sequestration as well as biodiversity benefit and working with partners to develop a Nature Network. The Climate Change Strategy also includes an action to identify adaptation work happening across the organisation, including identifying opportunities for nature based solutions. The adaptation project is at an early stage and resources have yet to be identified to develop and deliver an action plan. Collaborative working will be essential to deliver adaptation work, bringing together multiple benefits wherever possible.

The preparatory work undertaken for the next local development plan outlined in section 2.1 will inform how nature based solutions to climate change will be delivered. Some of the strategies and plans currently in development to support this are the forthcoming Nature Network Map, Biodiversity Strategy, Woodland and Forestry Strategy, Regional Coastal Change Adaptation Plan, Open Space Strategy and Regional Spatial Strategy. As referenced in section 2, the council is exploring ways to fund and deliver these together as one project.

5.1 Main climate related risks

The main climate impacts relevant to biodiversity in Moray in the next three years are likely to be;



Extreme weather events

- damage and loss of forests caused by storms
- forest/heath/dune habitats caused by wildfires
- damage and loss of habitat and soil structure caused by flooding (though can have positive effects on ecosystems too)



Ecosystem changes caused by a warmer climate and shifting seasons

- increase of suitable conditions for invasive species and diseases
- disrupt the synchronisation of various species and their emergence/breeding/food sources.

6 Public engagement and workforce development

Moray Council no longer has any staff delivering the traditional role of rangers, but does monitor wildlife and deliver environmental education and engagement when capacity and resources allow.

6.1 Community engagement

Initial engagement for the Local Development Plan has included biodiversity and greenspace as a key topic. Information has been shared with and sought by the public at open events, and digital call for ideas. The responses so far have shown that the climate and nature crisis is one of the highest priorities for the people of Moray when considering planning issues. Comments included embedding nature based solutions, ensuring new developments provide habitat and nature networks and that greenfield development is restricted. A number of ambitious nature projects/ visions were proposed that would bring together nature and community.

Workshops have also been held with schools, supporting young people to consider ways to reverse biodiversity loss, such as through nature networks and changing land management and building practices. Engagement with elected members through workshops and reports have highlighted the key issues and opportunities involved in delivering biodiversity enhancement through the planning process.

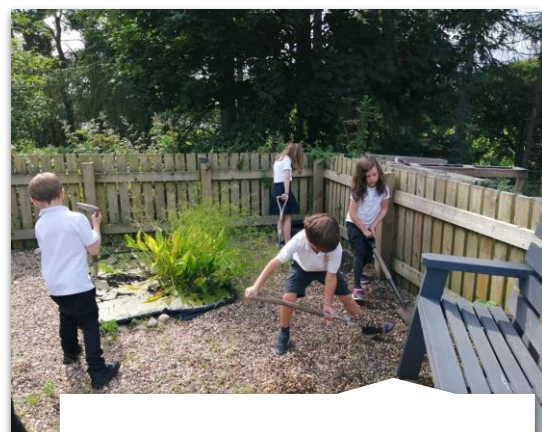
6.2 Outdoor learning

Schools across Moray are delivering outdoor learning projects that are connecting young people with nature.

- Outdoor learning environments have been improved, for example through the installation and restoration of ponds at several schools, new sensory gardens and pupils planting trees to commemorate Queen Elizabeth.
- Students Duke of Edinburgh program take part in expeditions along the Moray Coast and along the River Spey or Cairngorm National Park, for example. The design of the expeditions is to encourage young people to engage with the outdoors and start to appreciate the value of preserving it. Environmental projects that explore issues relating to biodiversity and land management.
- Field trips to deliver relevant curriculum elements within the local context.
- Outdoor Discovery sessions, gardening and Forest School sessions in primary schools give young people a better understanding of the nature that surrounds them.



Speyside High pupils participating in a Day of Nature Connection with a local estate to create various homes for nature.



Logie Primary pupils improving the area around their wildlife pond

6.3 Opportunities to celebrate successes

Projects to improve biodiversity on council land are highlighted to the public through press releases and social media channels. Clearer information has been added to the council's website, explaining

the action the council is taking as well as signposting ways for individuals to take action or learn more.

The council participated in a climate change film created by the Moray Firth Coastal Partnership which highlights the local impacts of climate change and some of the action being taken locally to address it. The film has been promoted to teachers to use as an educational resource, as well as promoted to council staff and the wider public.

6.4 Participation in the North East Scotland Biodiversity Partnership (NESBiP)

NESBiP undertakes a wide range of projects to raise the profile of locally and nationally important species and habitats, encourage data recording and facilitate joint working on Local Biodiversity Action Plan (LBAP) priorities across the region. Key engagement activities include the hosting of a wildlife gardening Facebook group alongside a main Facebook page that highlights relevant information and events etc.

6.5 Workforce development

Learning for Sustainability and Forest School training undertaken?

Training and guidance for planners in delivery of biodiversity enhancement through NPF4 is currently being developed.

Contributed to the North East Scotland Biodiversity Partnership's annual seminars, in 2023 the topic was pollinators, giving Moray Council an opportunity to showcase the living lawn and wildflower programme. Council staff and elected members were invited to the event to learn and share best practice from across the region.

7 Monitoring and research

7.1 Research

The introduction of NPF4, efforts to meet the council's net zero target and the expected increase in responsibilities for public bodies under the new Scottish Biodiversity Strategy have driven a range of research in 2023. The studies outlined in 2.1 have involved extensive desk based research and initial ecological surveys in order to advance the council's understanding of biodiversity within Moray.

- A biodiversity study involving desk based research and engagement with key stakeholders establishing priority species and habitats was carried out, in addition to ecological surveys of former SINS sites and 5 key growth sites identified in the local development plan. The output of this work will be used in the Evidence Report for the next local development plan and provide a foundation of knowledge to inform planning decisions going forward. The maps will also, alongside other relevant resources, form the starting point for the first Moray Nature Network.
- Natural capital investment opportunities have been identified through mapping GIS data, and consultation, recommending that biodiversity improvements and carbon offsetting could be delivered together.
- Similarly, the new Woodland and Forestry Strategy, currently in draft, aims to support the delivery of mitigating and adapting to climate change and reducing biodiversity loss alongside social and economic outcomes.
- Ecological surveys of two key nature sites, Millbuies and the Wards, have identified enhancement opportunities as part of renewed management plans. A woodland management plan for Quarry Wood SSSI has also recently been submitted to Scottish Forestry. This will enable active management of invasive tree species in the ancient oak woodland.

7.2 Monitoring

Monitoring has been a challenge to resource, however the Nature Restoration Fund has enabled some to take place through those projects. There are plans to develop performance indicators that will be essential for measuring the impact of biodiversity enhancements through planning, within the Nature Network, and carbon offsetting projects.

Ecological surveys of all wildflower and living lawn sites have been carried out to determine quality and identify management recommendations. Water level monitoring has been installed at the Wards wetland to inform future management decisions. As both of these have only recently undertaken no trends have been identified yet.

Areas of concern flagged by casual observation on council managed land include a risk of lowering water levels at the Wards wetland and spread of giant hogweed along active travel routes. Additionally, NatureScot assessment of Quarry Wood SSSI (part of which is under council ownership) is that this was in unfavourable declining condition in 2006.

All contracted ecologists undertaking surveys for the projects on council land as well as for the Biodiversity Study have been asked to submit the records to NESBReC. Occasional records are submitted by council staff directly.

8 Highlights

Moray Council has endeavoured to fulfil its Biodiversity Duty with constrained resources over the reporting period. Despite challenges including limited staff capacity and short timescales for the (very welcome) Nature Restoration Fund grant, this report has shown that lots has been achieved. Some most important highlights include:

The Climate Change Strategy and aligning of biodiversity as a priority within its delivery plan and therefore strengthening governance structure for biodiversity activity.

Delivery of the Nature Restoration Fund direct grant across a diverse range of projects has brought multiple benefits in addition to enhancing biodiversity. Projects have both engaged the public with nature and reduced risk of escalated costs in future.

The development of the wildflower and living lawn programme achieved with limited resources and through good engagement with the public.

The creation of three new management plans for popular natural areas owned and managed by the council mean there are actions ready to be delivered as funding becomes available. Several improvements have already been achieved.

Biodiversity featuring as a key theme within the Local Development Plan engagement during 2023 and the background work being undertaken for evidence report studies and early work on Nature Network

9 Future challenges

Statutory responsibilities for biodiversity have significantly increased during the reporting period through the introduction of NPF4 and are likely to increase over the next three years. Some of the

main challenges anticipated are listed below.





REPORT TO: ECONOMIC DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE 14 NOVEMBER 2023

SUBJECT: CONSULTATION ON SCOTLAND'S STRATEGIC FRAMEWORK FOR BIODIVERSITY

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

1. REASON FOR REPORT

- 1.1 To ask the Committee to agree the response to the Scottish Government's Consultation on Scotland's Strategic Framework for Biodiversity.
- 1.2 This report is submitted to Committee in terms of Section III (F) (13) of the Council's Scheme of Administration relating to matters regarding environmental protection.

2. RECOMMENDATION

- 2.1 It is recommended that the Committee agree the response to Consultation on Scotland's Strategic Framework for Biodiversity that will be submitted to the Scottish Government.**

3. BACKGROUND

- 3.1 On 2 February 2023, when the Council declared a nature emergency, it also welcomed the revised national Scottish Biodiversity Strategy and forthcoming statutory targets for public bodies, including local authorities, required to meet the challenges of the nature crisis.
- 3.2 This Scottish Government consultation is seeking views on a range of topics and proposals related to biodiversity and tackling the nature emergency in Scotland.
- 3.3 It covers three parts of the Biodiversity Strategic Framework:
 - The Scottish Biodiversity Strategy which sets out the vision to halt and reverse biodiversity loss;
 - The first five-year Delivery Plan which contains the actions to deliver the vision; and

- The proposed Natural Environment Bill which will provide a framework for establishing statutory nature targets to drive delivery and the transformational change we need.
- 3.4 Many topics and proposals will directly impact on the council as a public body that has responsibilities as a regulator, land manager and educator and more.
- 3.5 The consultation is wide ranging and includes a significant volume of information. Given limited staff resource and other priorities, the proposed response has been limited to those areas with greatest implications for the council. The deadline for responses is 14 December 2023. Given constraints on officer resources, should Committee be unable to identify and agree upon any amendments felt necessary to the response, it is proposed that the response is instead submitted as an officer response, allowing individual members and groups to then submit their own responses.

4. **KEY POINTS**

Scottish Biodiversity Delivery Plan

- 4.1 The Scottish Biodiversity Strategy to 2045: tackling the nature emergency sets out evidence based goals for Scotland to be Nature Positive, halt biodiversity loss by 2030 and restore and regenerate biodiversity by 2045.
- 4.2 It is proposed that the council responds in support of the strategy and delivery plan. They are highly ambitious, as required by the urgency of the situation, but how the actions will be delivered is not yet clear.
- 4.3 What is evident is that the council will have to play a key role in delivering a co-ordinated approach through the Local Development Plan and its subsequent delivery that achieves multiple benefits for people and nature. This will require local authorities to be properly resourced.
- 4.4 Nature Networks will have an especially high impact but it is not clear how these will be funded and a clear overall picture is required. Consistent funding streams will be required for all stakeholders.
- 4.5 Delays to the adoption of a standard biodiversity metric for Scotland risk the ability to halt biodiversity loss by 2030. Local authorities and developers need a consistent metric, training and support.
- 4.6 An action to implement nature-positive amenity grassland management strategies, while welcomed, will require extensive public engagement at the local level
- 4.7 The section on investing for nature should have a clearer vision for co-ordinated funding and does not highlight the role that local investment through the planning system can play. Investment in skills also needs to be considered more broadly and bring young people in before school leaving age to show them the opportunities available in rural areas.

- 4.8 The short-term nature of the Nature Restoration Fund is a concern, though it is acknowledged that this funding has been incredibly valuable. The Town Centre Improvement funding was highlighted as a positive example of long term funding certainty.
- 4.9 It is pleasing to see the addition of an objective on the indirect drivers of biodiversity loss and recognition of the importance of connecting people with nature as this is important for long lasting change to be possible. Policy mechanisms for delivering this include NPF4 and Nature Networks and the Climate Adaptation Programme which can be well aligned to deliver but again, need resourcing, especially for meaningful engagement with communities.
- 4.10 Many of the actions require a co-ordinated approach alongside local knowledge and skills that should be delivered by urban/countryside rangers.
- 4.11 While outdoor learning and learning for sustainability are already embedded within the Curriculum for Excellence, the actions outlined are not ambitious enough and should more clearly commit to delivering climate adapted school grounds that provide quality opportunities for children to connect with nature on their own as well as when guided within a class.

Nature Networks Policy Framework

- 4.12 The recently published Nature Network Framework states that every local authority will have a spatially defined network by 2030. These are similar to what would often be referred to as wildlife corridors, linking nature rich areas together in ways that deliver multiple benefits for people and nature. The design, co-ordination, and delivery of Nature Networks at the local level will be led by Local Authorities.
- 4.13 Local Development Plans will play a key role (and Nature Networks are already embedded throughout NPF4), however there is not enough clarity on where the finance will come from for the connecting strands between the protected / nature rich sites. Again, a big picture, co-ordinated approach that combines multiple benefits and outcomes is required.
- 4.14 It is also unclear how Nature Network sites (that are not designated sites) will be protected – clearly a need for regulation but also risk that restrictions could deter landowners. With protection also comes a requirement for monitoring – and meanwhile there is no resource or expertise within the council to deliver this.
- 4.15 The principle that Nature Networks must be delivered from the bottom up is very welcome, however lack of resourcing risks this not being done meaningfully or being rushed.

Statutory Targets for Nature Restoration

- 4.16 The proposed Natural Environment Bill will set out high level targets next year. A legislative approach is welcomed, as mainstreaming biodiversity has been too slow as we continue to lose biodiversity at pace. Concern remains that it may be too slow to meet the 2030 target to halt biodiversity loss. All previous comments regarding resourcing are essential for this approach to be deliverable.
- 4.17 It is also essential that the targets align across policy areas, as is improving the understanding and application of multiple or co-benefits that are wider. Health and education are key areas that could have synergistic targets.
- 4.18 It was noted that no targets are identified for the indirect drivers of biodiversity loss, however these are crucial to transformational change in the long term and there are many ways these could be measured.

5. SUMMARY OF IMPLICATIONS

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

Action on biodiversity loss supports the delivery of corporate plan priorities for people, place and the future by; improving health and wellbeing, strengthening communities, minimising harm and costs arising from climate change impacts and creating economic opportunities.

(b) Policy and Legal

Public bodies in Scotland are required to further the conservation of biodiversity and the council has declared a nature emergency.

Some of the policies and legislation relating to biodiversity that are particularly relevant include;

Nature Conservation (Scotland) Act 2004

Wildlife and Natural Environment (Scotland) Act 2011

Scottish Biodiversity Strategy to 2045

National Planning Framework 4

Local Development Plan 2020

Nature Networks Framework

Pollinator Strategy for Scotland

Local natural heritage designations

Climate Change (Scotland) Act 2009 and 2019

Moray Climate Change Strategy

Moray Woodland and Forestry Strategy

Moray Food Growing Strategy

Curriculum for Excellence through Outdoor Learning

Scotland's Natural Health Service

Scotland's National Strategy for Economic Transformation

(c) Financial implications

There are no immediate financial implications, however Scotland's Strategic Framework for Biodiversity sets out a number of actions that will increase the responsibilities on local government.

Local authorities have been identified as the delivery leads for Nature Networks and this will be a big project. There is a need for the council to work collaboratively and creatively across departments and with partners to draw in funding and pool resources.

Biodiversity enhancement and stopping biodiversity loss will require experts from a variety of services across the Council to work together to efficiently and effectively deliver change. This may mean having to reprioritise areas of work to facilitate the change.

It is essential that any new duties placed on the Council or duties that are enhanced through guidance and strategies are fully funded and resourced.

(d) Risk Implications

At current resourcing levels, the Council does not have the resources to take on additional duties . This has been highlighted in the consultation response..

There is a reputational risk should the council not support strong and urgent action to reverse biodiversity loss, particularly following the declaration of a nature emergency.

(e) Staffing Implications

The council has been endeavouring to deliver its Biodiversity Duty with limited resources for many years. Statutory responsibilities for biodiversity have already significantly increased through NPF4 and, as this consultation sets out, are likely to increase further through the adoption of the Scottish Biodiversity Strategy and the proposed Natural Environment Bill.

Statutory targets for nature restoration will mean the need to introduce measures and monitoring. The forthcoming Moray biodiversity strategy could set framework for this but ecological expertise as well as additional resources will be required to deliver all this as current staffing levels would be unable to absorb additional duties.

(f) Property

The council is already beginning to manage its land positively for nature, but it should be noted that this approach will need to be extended and mainstreamed across all services in a similar way to the action being taken to decarbonise Council services. Targets for the improvement of public land for biodiversity may be introduced.

(g) Equalities/Socio Economic Impact

Equal access to quality greenspace is important for health, wellbeing, community cohesion, child development and limiting harm from pollution. Improving biodiversity presents opportunities to reduce inequality.

(h) Climate Change and Biodiversity Impacts

The council's duties and activities have a significant impact on the biodiversity of Moray.

The risks associated with the loss of vital ecosystem services range from disrupted food systems and water supplies to increased damage resulting from climate change impacts and reduced capacity to absorb carbon emissions. Failure to act now will lead to catastrophic implications on our economy and the health and wellbeing of future generations.

The adoption of the Strategic Framework outlined in the consultation will therefore have a very positive impact on reducing biodiversity loss and mitigating and adapting to climate change, should it be adequately resourced.

(i) Consultations

The Depute Chief Executive (Economy, Environment and Finance), Head of Economic Growth and Development, the Legal Services Manager, Environmental Protection Manager, Open Spaces Manager, Chief Financial Officer, Lissa Rowan (Committee Services Officer) and Equal Opportunities Officer have been consulted and comments received have been incorporated into the report.

6. CONCLUSION

6.1 A response to the Consultation on Scotland's Strategic Framework for Biodiversity has been prepared. The response welcomes the ambitious vision and actions it proposes, however voices strong concern around the funding of delivery. The response asks for a big picture approach to be taken that supports multiple social and environmental benefits to be delivered simultaneously.

6.2 The council's statutory responsibilities have already increased significantly in the last 12 months and it is clear that this trend will continue and this must be factored into decisions around how to improve council services.

Author of Report: Sophie Ward, Climate Change Strategy Officer and Matthew Watt,
Planning Officer

Background Papers:

Ref:

Respondent Information Form



Tackling the Nature Emergency - Consultation on Scotland’s Strategic Framework for Biodiversity

Please Note this form **must** be completed and returned with your response.

To find out how we handle your personal data, please see our privacy policy: <https://www.gov.scot/privacy/>

Are you responding as an individual or an organisation?

- Individual
- Organisation

Full name or organisation’s name

Moray Council

Phone number

Address

Moray Council Headquarters
High Street, Elgin

Postcode

IV30 1BX

Email Address

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name
- Publish response only (without name)
- Do not publish response

Information for organisations:

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes

No

Tackling the Nature Emergency: Consultation on Scotland's Strategic Framework for Biodiversity

Questions

We are inviting responses to this consultation by **14 December 2023**.

You are not required to answer every question in the consultation. The consultation is set out in sections to help you identify matters in which you may have a particular interest.

Please note that Section 1 of the consultation document does not contain any questions, so question numbering starts from Section 2.

Section 2 – Scottish Biodiversity Delivery Plan

Question 2a: Have we captured the key actions needed to deliver the objective: accelerate restoration and regeneration?

- Yes
- No
- Unsure

Please explain the reasons for your response:

- We are extremely supportive of the delivery plan and the need to accelerate restoration and regeneration.
- A concern would be how to ensure areas outwith the six large landscape projects are equally catered for and resourced.

Question 2b: Are the key actions, to support the objective: accelerate restoration and regeneration, sufficient to put Scotland on track to ending the loss of biodiversity by 2030?

- Yes
- No
- Unsure

Please explain the reasons for your response:

- As delivery partners/leads are not identified at this point it is difficult to see where accountability and responsibility will lie and how this will actually be delivered.
- The Local Authority is a key player in delivering the key actions through a coordinated approach, via the Local Development Plan and Regional Spatial Strategy. While it is recognised that this specific delivery plan aims to enhance biodiversity across Scotland, there are a multitude of other benefits from the enhancement of land associated with enhanced biodiversity. I.e. access to open space, physical and mental health wellbeing etc. However, the

successful delivery of these benefits must be supported through proper resourcing for Local Authorities, both financial and people.

- We appreciate the funding received through the Nature Restoration Fund and recognise that there are a number of other funding streams available to both the Local Authority, landowners and other stakeholders. However, to successfully utilise the various funding streams and ensure a joined-up approach, there is a clear need to develop a comprehensive plan for delivery to achieve the outcomes.
- In terms of delivery, the biggest barrier we see is resourcing; financial and people, including delivering with landowners. Furthermore, staff within Local Authorities and the wider public sector require upskilling to ensure outcomes are met. i.e. Scotland is not meeting its tree planting target at the current time, additional targets will be hard to meet because investment in skills development is not sufficient.
- On the ground delivery at current rate not enough to end biodiversity loss by 2030 as a result of resourcing etc.

Question 2c: Which actions do you think will have most impact?

Please state the actions and explain the reasons for your response:

Statutory targets. Good guidance and strategies have been available for many years, but biodiversity continues to be lost, therefore it is critical that we have statutory targets.

Question 2d: Have we captured the key actions needed to deliver the objective: protect nature on land and at sea across and beyond protected areas?

- Yes
- No
- Unsure

Please explain the reasons for your response:

- The flexibility and positive approach to the expansion or development of new NNR + new management plans is encouraging.
- It is good to recognise support for local authorities in land use decision making, but implementation is important.
- Again, good to recognise that building skills and capacity across planning system is critical. Can national program of training for NPF4 and biodiversity metric be held regularly for planners and developers?
- The recognition for long term maintenance plans to be submitted regularly (and supporting finance) is welcomed. However this should include a plan for monitoring as well.

- Amenity grassland management – good to highlight the importance of this but resources in landscape teams a significant issue and public engagement needs targeted resourcing for this as it is a dividing issue within communities.
- ‘Explore options for developing a biodiversity metric’ not strong enough language. Suggest a metric be implemented by 2025 to ensure all developers in Scotland can use it across any LA. Interim measure could be use, for example English BNG as adapted in [Aberdeenshire guidance](#).
- ‘Consistent approach... Standardised monitoring by 2030’ - Again, not soon enough.
- The successful delivery of these actions will be reliant on significant, consistent funding streams being made available for a wide range of stakeholders. The development of an overall picture should ensure that funding is targeted and all biodiversity enhancements contribute to the objectives in a timeous manner.

Question 2e: Are the key actions, to support the objective: protect nature on land and at sea across and beyond protected areas, sufficient to put Scotland on track to ending the loss of biodiversity by 2030?

- Yes
- No
- Unsure

Please explain the reasons for your response:

Lots of good actions but resources, across a number of stakeholders will be required to deliver and ensure the outcomes are met.

Question 2f: Which actions do you think will have most impact?

Please state the actions and explain the reasons for your response:

Identify, expand and enhance Nature Networks and ecological connectivity...
Incorporating and embedding Nature Networks into policy e.g. Local Development Plan will mainstream biodiversity action

Question 2g: Have we captured the key actions needed to deliver the objective: embed nature positive farming, fishing and forestry?

- Yes
- No
- Unsure

Please explain the reasons for your response:

- AECS needs to be part of the Nature Networks to ensure a joined up approach between all stakeholders.

- More emphasis on increasing woodland cover – landowners including public sector need to be involved
- Could be requirement that new woodlands include areas that will be included within Nature Networks and managed to benefit biodiversity

Question 2h: Are the key actions, to support the objective: embed nature positive farming, fishing and forestry, sufficient to put Scotland on track to ending the loss of biodiversity by 2030?

- Yes
- No
- Unsure

Please explain the reasons for your response:

If a long term, consistent funding mechanism is delivered to support these actions and good communication to support communities and landowners with change, then some of these actions could help to reverse biodiversity loss.

Question 2i: Which actions do you think will have most impact?

Please state the actions and explain the reasons for your response:

Ensure that forests and woodlands deliver increased biodiversity and habitat connectivity alongside timber and carbon outcomes

Introduce an agricultural support framework which delivers for nature restoration and biodiversity alongside climate and food production outcomes

Question 2j: Have we captured the key actions needed to deliver the objective: protect and support the recovery of vulnerable and important species and habitats?

- Yes
- No
- Unsure

Please explain the reasons for your response:

.....

.....

.....

.....

.....

.....

Question 2k: Are the key actions, to support the objective: protect and support the recovery of vulnerable and important species and habitats, sufficient to put Scotland on track to ending the loss of biodiversity by 2030?

- Yes
- No
- Unsure

Please explain the reasons for your response:

.....

.....

.....

.....

.....

.....

Question 2l: Which actions do you think will have most impact?

Please state the actions and explain the reasons for your response:

.....

.....

.....

.....

.....

.....

Question 2m: Have we captured the key actions needed to deliver the objective: invest in nature?

- Yes
- No
- Unsure

Please explain the reasons for your response:

- Biodiversity Investment Plan is definitely needed. There needs to be a big picture for delivery of this with identified funding streams and co-ordinated approach across multiple areas through planning policy and community led regeneration etc.
- No mention of local investment through the planning system –developer contributions, offsetting, community benefit etc. Lots of potential here for bringing things together.
- Skills development really important and welcomed. Also a role for skills development: agencies like DWP here. Linking land management and future skills to curriculum and targeting young people from early years right through to entering workforce– mechanisms already there but not being utilised strongly enough yet. Would help retain young people in rural areas.

Question 2n: Are the key actions, to support the objective: invest in nature, sufficient to put Scotland on track to ending the loss of biodiversity by 2030?

- Yes
- No
- Unsure

Please explain the reasons for your response:

- The Nature Restoration Fund has been extremely valuable and could continue to achieve much if longer timescales provided. However what happens after the £65 million NRF is over? There is a concern that this is not guaranteed. Long term funding (not just annual grants allocated within that financial year) needs to be guaranteed that enables long term planning, project delivery and monitoring.
- Funding so far has provided a number of benefits, therefore continued and increased delivery of co-benefits to maximise return on investment should be supported
- It will be very difficult to achieve the above objective by 2030 unless significant investment is made to support delivery including increasing staff resources across the public sector.

Question 2o: Which actions do you think will have most impact?

Please state the actions and explain the reasons for your response:

.....

Question 2p: Have we captured the key actions needed to deliver the objective: take action on the indirect drivers of biodiversity loss?

- Yes
- No
- Unsure

Please explain the reasons for your response:

- Very pleased to see the addition of this action on the indirect drivers and recognition of the importance of connecting people with nature for long lasting change to be possible.
- Mainstream biodiversity through the national planning framework and Nature Networks, Climate Adaptation Programme etc is welcomed. A need for engagement with elected members and the public and to make full use of the co-design process. Also needs resourcing to be meaningful.
- ‘Engage and strengthen the connection between people and communities with nature’ should include provision for local level: Fund rangers in every LA area (not all areas currently provide this service) – make this a statutory role

to deliver key actions within this objective and some of those that directly improve biodiversity.

- ‘Explore opportunities to further develop Curriculum for Excellence...’ a very important action and is worded too weakly. Need for Scotland wide program to adapt school grounds for climate change and biodiversity to provide safe places for children to connect with nature on their own as well as when guided within a class. Upskill all teachers so outdoor learning delivery is as widespread as possible.

Question 2q: Are the key actions, to support the objective: take action on the indirect drivers of biodiversity loss, sufficient to put Scotland on track to ending the loss of biodiversity by 2030?

- Yes
- No
- Unsure

Please explain the reasons for your response:

Greater regulatory and fiscal controls required to ‘Address unsustainable supply and demand to reduce biodiversity impacts’

Question 2r: Which actions do you think will have most impact?

Please state the actions and explain the reasons for your response:

.....
.....
.....
.....
.....
.....

Section Three – Nature Networks Policy Framework

Question 3a: Do you have any comments on the Nature Networks Framework?

Please provide any comments:

- Pleased to have this further guidance but many questions about delivery and resourcing.
- How will Nature Networks be protected through policy and planning levers? Will this restriction on management of land discourage landowners from wanting to contribute to Nature Networks?
- Where will the public finance come from? Big picture, co-ordinated approach that combines multiple benefits and outcomes is required – Framework

doesn't give enough detail or evidence enough joined up thinking that includes the income generation through planning etc.

- Truly bottom up approach resource intensive and a risk that funding and capacity not sufficient. E.g. additional NRF grant for nature networks this year very welcome but completely unrealistic that it could be spent within 9 months, especially given no advance notice to plan for it.
- How will monitoring of sites be funded – no resource for that at local authority level.

Section Four – 30 by 30 Policy Framework

Question 4a: Do you have any comments on the 30 by 30 Framework?

Please provide any comments:

- It is noted that the emphasis is on priority funding for 30 x 30 sites – this is welcomed, but will this curtail finance for the wider NN.
- In terms of site selection – no mention of landowners, these are critical stakeholders to identify further sites and ensure a full 30 x 30 framework is delivered.
- It is important to recognise dynamic changes in terms of changes to the 30 x 30 network over the long term.

Section Five – Impact Assessments – Part A

Question 5a: What are your views on the accuracy and scope of the environmental baseline set out in the environmental report?

.....
.....
.....
.....
.....
.....

Question 5b: What are your views on the predicted environmental effects as set out in the environmental report?

.....
.....
.....
.....
.....
.....

Question 5c: What are your views on the reasonable alternatives as set out in the environmental report?

.....
.....
.....
.....
.....
.....

Question 5d: What are your views on the proposals for mitigation and monitoring of the environmental effects set out in the environmental report?

.....
.....
.....
.....
.....

Question 5e: Do you think that any of the provisions in the SBS or Delivery Plan will have any adverse effects on business?

- Yes
- No
- Unsure

If yes, please provide any comments:

.....
.....
.....
.....
.....

Question 5f: Are there any additional actions or changes to existing actions which can be taken through the Delivery Plan to benefit business?

- Yes
- No
- Unsure

If yes, please provide any comments:

.....
.....
.....
.....
.....

Question 5g: Do you think that any of the provisions in the SBS or Delivery Plan will have any adverse effects on socio-economic equality?

- Yes
- No
- Unsure

If yes, please provide any comments:

.....
.....
.....
.....
.....
.....

Question 5h: Are there any additional actions or changes to existing actions which can be taken through the Delivery Plan to benefit socio-economic equality?

- Yes
- No
- Unsure

If yes, please provide any comments:

.....
.....
.....
.....
.....
.....

Question 5i: Do you think that any of the provisions in the SBS or Delivery Plan, will have any adverse impacts on people with protected characteristics?

- Yes
- No
- Unsure

If yes, please provide any comments:

.....
.....
.....
.....
.....
.....

Question 5j: Are there any additional actions or changes to existing actions which can be taken through the Delivery Plan to benefit people with protected characteristics?

- Yes
- No
- Unsure

If yes, please provide any comments:

.....
.....
.....
.....
.....

Question 5k: Do you think that any of the provisions in the SBS or Delivery Plan, will have any adverse impacts on island communities?

- Yes
- No
- Unsure

If yes, please provide any comments:

.....
.....
.....
.....
.....

Question 5l: Are there any additional actions, or changes to existing actions, which can be taken through the Delivery Plan to ensure that there are no adverse effects for Island communities?

- Yes
- No
- Unsure

If yes, please provide any comments:

.....
.....
.....
.....
.....

Question 5m: Do you think that any of the provisions in the SBS or Delivery Plan, will have any adverse impacts on child rights and wellbeing?

- Yes
- No
- Unsure

If yes, please provide any comments:

.....
.....
.....
.....
.....
.....

Question 5n: Are there any additional actions or changes to existing actions which can be taken through the Delivery Plan to benefit child rights and wellbeing?

- Yes
- No
- Unsure

If yes, please provide any comments:

Use this Delivery plan to strengthen curriculum links and outdoor learning – funding to improve outdoor learning environments

Section Six – Statutory Targets for Nature Restoration

Question 6a: Do you agree with this approach to placing targets on a statutory footing?

- Yes
- ~~No~~
- ~~Unsure~~

Please explain the reasons for your response:

- Very much welcome this approach and agree need for targets to drive action, however significant additional resources would be required at local government level for staffing and delivery.
- There needs to be legislative footing to ensure long term success.
- Investment and accountability are key for deliverability, this can be assured through statutory targets
- Also a need for more urgency in the interim as 2030 extremely close (for example still no metric for biodiversity enhancement) so vital years will be lost during this crucial decade.

Question 6b: Do you agree with the criteria set out for the selection of targets?

- Yes
- ~~No~~
- ~~Unsure~~

Please explain the reasons for your response:

Alignment across policy areas essential, as is improving the understanding and application of multiple or co-benefits that are wider. Health and education are key areas that could have synergistic targets.

Question 6c: Do you agree statutory targets should include a combination of outcome targets and output targets?

- Yes
- ~~No~~
- ~~Unsure~~

Please explain the reasons for your response:

- Input targets have been a challenge on local authority level – extremely short timescales for Nature Restoration Funding have limited quality outcomes. So presume a combination would help resolve this issue, but would need to be combined with greatly extended and more flexible grant terms so that projects can be planned and based on evidence rather than whatever can be done in a short timescale during the particular season available.
- A positive example of how this could work is the Town centre improvement funding which brings longer term funding certainty with a split between revenue and capital (25%/75%) over 10 year period.

Question 6d: Is the list of potential target topics sufficiently comprehensive in terms of the focus of proposed target areas and overall scope?

- Yes
- No
- Unsure

Please explain the reasons for your response. If you answered “No”, please provide details of any target topics which you think are missing from the list.

Good list, covers broad measures but public awareness, education etc also need targets -

‘Engage and strengthen the connection between people and communities and nature’ and ‘Embed biodiversity and nature in curriculum development’ could be harder to quantify but it’s important these have targets and are supported by

legislation with a system to monitor. Contribution of school playgrounds to the other target topics, and link to nature based skills sector and employment/ training statistics could work?

Question 6e: Do you have any other comments on the list of potential target topics?

- Yes
- No

If you answered “Yes”, please provide your comments below.

.....
.....
.....
.....
.....
.....

Question 6f: Do you agree with the proposal to have the smallest feasible number of targets which reflects the complexity of nature restoration?

- Yes
- ~~• No~~
- ~~• Unsure~~

Please explain the reasons for your response:

.....
.....
.....
.....
.....
.....

Question 6g: Do you agree statutory targets should align with the 2030 and 2045 timescales set out in the Strategy?

- Yes
- No
- Unsure

Please explain the reasons for your response:

Agree with approach, but there is a need for urgency to address biodiversity decline, especially through planning and other complex delivery mechanisms.

Question 6h: Do you agree the Bill should allow for the review of statutory targets?

- Yes
- ~~No~~
- ~~Unsure~~

Please explain the reasons for your response:

The bill should include flexibility to ensure targets are reviewed and updated, when required. This needs to be driven by science constantly improving and changing

Question 6i: Do you agree that reporting on targets should align with existing Biodiversity reporting requirements?

- Yes
- ~~No~~
- ~~Unsure~~

Please explain the reasons for your response:

Public bodies are key to delivering much of the delivery plan and targets will help ensure that biodiversity duties are fulfilled consistently and contribute to delivering the national strategy provided sufficient funding is made available to local authorities for this purpose.

Question 6j: Do you agree that an Independent Review Body is needed to report on Government's progress in meeting the statutory targets?

- Yes
- ~~No~~
- ~~Unsure~~

Please explain the reasons for your response:

.....

.....

.....

.....

.....

.....

Section Seven – National Parks

Question 7a: Do you agree that the purpose of National Park authorities should be amended in order to emphasise the important leadership role that National Park authorities need to play in restoring nature and in mitigating and adapting to climate change?

- Agree
- Partially agree
- Partially disagree
- Disagree
- Don't know

Please explain the reasons for your response:

.....

.....

.....

.....

.....

.....

Question 7b: Do you agree with these suggested changes to the first National Park aim?

- Agree
- Partially agree
- Partially disagree
- Disagree
- Don't know

Please explain the reasons for your response:

.....

.....

.....

.....

.....

.....

Question 7c: do you agree with the suggested change to the second National Park aim?

- Agree
- Partially agree
- Partially disagree
- Disagree
- Don't know

Please explain the reasons for your response:

.....

.....

.....

.....

.....
.....

Question 7d: Do you agree with the suggested change to the third National Park aim?

- Agree
- Partially agree
- Partially disagree
- Disagree
- Don't know

Please explain the reasons for your response:

.....
.....
.....
.....
.....
.....

Question 7e: Do you agree with the suggested change to the fourth National Park aim?

- Agree
- Partially agree
- Partially disagree
- Disagree
- Don't know

Please explain the reasons for your response:

.....
.....
.....
.....
.....
.....

Question 7f: Do you agree that the National Park 'principle' set out in section 9(6) of the 2000 Act should be retained? This would mean that, if there is a conflict between the National Park aims, greater weight should be given to the first aim which would seek to protect, restore and enhance the natural assets, biodiversity and ecosystems within the National Park.

- Agree
- Partially agree

- Partially disagree
- Disagree
- Don't know

Please explain the reasons for your response:

.....

.....

.....

.....

.....

.....

Question 7g: Do you agree that public bodies operating within the National Park should have regard to the proposed National Park aims?

- Agree
- Partially agree
- Partially disagree
- Disagree
- Don't know

Please explain the reasons for your response:

.....

.....

.....

.....

.....

.....

Question 7h: Do you agree that public bodies operating within the National Park should have regard to the National Park principle?

- Agree
- Partially agree
- Partially disagree
- Disagree
- Don't know

Please explain the reasons for your response:

.....

.....

.....

.....

.....
.....

Question 7i: Do you agree that the duty on public bodies operating within National Parks should be strengthened so they have an obligation to support and contribute to the implementation of National Park Plans rather than having regard to these plans?

- Agree
- Partially agree
- Partially disagree
- Disagree
- Don't know

Please explain the reasons for your response:

.....
.....
.....
.....
.....

Question 7j: Do you agree with the proposal that National Park Authorities should be able to enforce byelaw breaches within National Parks by issuing fixed penalty notices rather than referring them to local Procurators Fiscal?

- Agree
- Partially agree
- Partially disagree
- Disagree
- Don't know

Please explain the reasons for your response:

.....
.....
.....
.....
.....

Question 7k: Do you think that any other changes should be made to the general powers of National Park authorities?

- Agree
- Partially agree

- Partially disagree
- Disagree
- Don't know

Please explain the reasons for your response:

.....
.....
.....
.....
.....
.....

Question 7l: Do you agree with the proposed changes to the governance of National Parks?

- Agree
- Partially agree
- Partially disagree
- Disagree
- Don't know

Please explain the reasons for your response:

.....
.....
.....
.....
.....
.....

Question 7m: Do you have any other comments that you would like to make about the aims, powers and governance of National Parks?

.....
.....
.....
.....
.....
.....

Section Eight – Impact Assessments – Part B

Question 8a: Do you think that any of the proposals in Part B, will have any adverse impacts on human rights?

- Yes
- No
- Unsure

If yes, please provide any comments:

.....
.....
.....
.....
.....
.....

Question 8b: Are there any additional actions, or changes to existing actions, which can be taken through the proposals in Part B to ensure that there are no adverse effects for people’s human rights?

- Yes
- No
- Unsure

If yes, please provide any comments:

.....
.....
.....
.....
.....
.....

Question 8c: Do you think that any of the proposals in Part B, will have any adverse impacts on people with protected characteristics?

- Yes
- No
- Unsure

If yes, please provide any comments:

.....
.....
.....
.....
.....
.....

Question 8d: Are there any additional actions or changes to existing actions which can be taken through the proposals in Part B to benefit people with protected characteristics?

- Yes

- No
- Unsure

If yes, please provide any comments:

.....
.....
.....
.....
.....

Question 8e: Do you think that any of the proposals in Part B will have any adverse effects on socio-economic equality?

- Yes
- No
- Unsure

If yes, please provide any comments:

.....
.....
.....
.....
.....

Question 8f: Are there any additional actions or changes to existing actions which can be taken through the proposals in Part B to benefit socio-economic equality?

- Yes
- No
- Unsure

If yes, please provide any comments:

.....
.....
.....
.....
.....

Question 8g: Do you think that any of the proposals in Part B, will have any adverse impacts on island communities?

- Yes
- No

- Unsure

If yes, please provide any comments:

.....
.....
.....
.....
.....

Question 8h: Are there any additional actions, or changes to existing actions, which can be taken through the proposals in Part B to ensure that there are no adverse effects for Island communities?

- Yes
- No
- Unsure

If yes, please provide any comments:

.....
.....
.....
.....
.....

Question 8i: Do you think that any of the proposals in Part B, will have any adverse impacts on child rights and wellbeing?

- Yes
- No
- Unsure

If yes, please provide any comments:

.....
.....
.....
.....
.....

Question 8j: Are there any additional actions or changes to existing actions which can be taken through the proposals in Part B to benefit child rights and wellbeing?

- Yes
- No

- Unsure

If yes, please provide any comments:

.....
.....
.....
.....
.....
.....

Question 8k: Do you think that any of the proposals in Part B will have any adverse effects on business?

- Yes
- No
- Unsure

If yes, please provide any comments:

.....
.....
.....
.....
.....
.....

Question 8l: Are there any additional actions or changes to existing actions which can be taken through the proposals in Part B to benefit business?

- Yes
- No
- Unsure

If yes, please provide any comments:

.....
.....
.....
.....
.....
.....

Question 8m: What are your views on the accuracy and scope of the environmental baseline set out in the environmental report?

.....
.....
.....
.....

.....
.....

Question 8n: What are your views on the predicted environmental effects as set out in the environmental report?

.....
.....
.....
.....
.....

Question 8o: What are your views on the reasonable alternatives as set out in the environmental report?

.....
.....
.....
.....
.....

Question 8p: What are your views on the proposals for mitigation and monitoring of the environmental effects set out in the environmental report?

.....
.....
.....
.....
.....



REPORT TO: ECONOMIC DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE ON 14 NOVEMBER 2023

SUBJECT: PUBLIC SECTOR CLIMATE CHANGE REPORTING

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

1. REASON FOR REPORT

- 1.1 To inform the Committee of the Council's Public Sector Report on Compliance with Climate Change Duties 2022/23 and updates to the reporting methodology and statutory duties.
- 1.2 This report is submitted to Committee in terms of Section III (F) (33) of the Council's Scheme of Administration relating to reviewing or preparing a Climate Change Strategy to provide framework for actions aimed at reducing carbon emissions and actions to restore biodiversity.

2. RECOMMENDATION

2.1 It is recommended that Committee:

- i) considers and notes the Council's Public Sector Report on Compliance with Climate Change Duties 2022/23; and**
- ii) considers and notes updates made to the reporting methodology for 2022/23 and statutory duties.**

3. BACKGROUND

- 3.1 The Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Order 2015 requires public sector bodies to publish annual climate change reports. This is intended to demonstrate compliance with public sector bodies' climate change duties, to engage leaders and encourage action to be taken to reduce carbon emissions.
- 3.2 The Council has a duty under Section 44 of the Climate Change (Scotland) Act 2009 to contribute to reducing Scotland's greenhouse gas emissions, contribute to helping Scotland adapt to a changing climate, and to act in a way it considers most sustainable.

3.3 The Council submitted the first mandatory report on compliance with climate change duties to the Scottish Government in November 2016, covering the period 2015/16, and has subsequently submitted its annual reports on time each November.

4. **PERFORMANCE AND UPDATES**

4.1 A copy of the Council's Public Sector Report on Compliance with Climate Change Duties as due to be submitted to the Scottish Government by 30 November 2023 has been uploaded to the Committee Management Information System (CMIS) and is available as an additional meeting document.

4.2 A data error discovered within a waste dataset led to the Council's carbon emissions for the previous reporting year being understated by 74.5 tonnes of carbon dioxide equivalent (tCO₂e). The Council's carbon emissions for reporting year 2021/22 were therefore 24,565 tCO₂e. Officers will update the Scottish Government regarding this error alongside this year's statutory reporting.

4.3 In 2022/23, the Council's recorded carbon emissions were 25,565 tonnes of carbon dioxide equivalent (tCO₂e) – an increase of 1,000 tCO₂e (4.1%) compared to reporting year 2021/22. A summary of changes by emissions source, illustrating how emissions have changed between the reporting years is provided in **Appendix 1**. Many of the increases in carbon emissions during this reporting year are Scope 3 type emissions. Scope 3 emissions are indirect emissions of the Council from within its value chain. Whilst not all Scope 3 emissions are included within the Council's 2030 net zero target, it continues to have a statutory duty to monitor, record and reduce these emissions.

4.4 The increase in the Council's recorded carbon emissions during 2022/23 is principally the result of a significant return to 'business as usual' working practices across the organisation following the Covid-19 pandemic. This trend has surpassed forecasted expectations and next steps will be discussed as part of the update to the Council's Climate Change Plan and Routemap to Net Zero Emissions.

4.5 2022/23 was the first year that emissions associated with staff commuting to and from Council premises have been reported. This represented a carbon increase of 1,658 tCO₂e. This emission source is calculated based on results of the Council's annual staff travel survey, as well as an audit of vehicles within staff car parks. It is envisaged that further increases in this emission source will occur within the next reporting year as actions to maximise building occupancy progress but will represent a saving on fully office based scenarios.

4.6 Diesel and petrol consumption has increased, in part due to greater use of pool vehicles for business travel. A change in legislation has required the use of diesel instead of gas oil in plant and machinery which has also contributed to this increase, though this is partially offset by a decrease in gas oil emissions.

- 4.7 Increased corporate travel bookings through a return to in-person meeting arrangements has also contributed to an increase in emissions. Grey fleet mileage (personal vehicles used for business purposes), hotel stays, short-haul flights and rail journeys have led to a collective increase of 193 tCO_{2e}. This increase was to be expected as we returned to new hybrid patterns of working but with increased business activity requiring travel. The Council's Travel Plan Steering Group will discuss this issue and potential solutions on 23 November 2023.
- 4.8 The highest number of full time equivalent (FTE) staff employed during the 2022-23 financial year was 3,800, an increase of 38 FTE since the previous report. This is not considered to be a significant variance. This figure is used to calculate the carbon emissions resulting from homeworking.
- 4.9 The methodology for calculating homeworking emissions has now changed nationally, taking account of hybrid working patterns which are now more clearly defined. This source represented carbon emissions of 7.6 tCO_{2e}, calculated using the new national emissions multiplier of 0.34075 kgCO_{2e} per FTE working hour (estimated).
- 4.10 Several energy saving projects and initiatives were carried out in 2022/23:
- LED lighting replacement;
 - Water tap replacements;
 - Boiler replacements;
 - Heating controls updated.

These changes represented an estimated carbon saving of 3.4 tCO_{2e}.

- 4.11 The Council's annual procurement report highlights the number of contracts with environmental/climate change conditions attached. This included 26 contracts in the reporting year, broken down by conditions as follows:
- 7 x energy;
 - 11 x greenhouse gases;
 - 5 x waste; and
 - 3 x sustainable construction.
- 4.12 All of the data used within the submission was obtained from previous compliance reports and from sections within the Council which collect data as part of their operational functions. In some cases, data used within the submission has been the basis for papers approved by Council committees.
- 4.13 To ensure the accuracy and reliability of the reporting, it is important that the data and information used is validated. From this reporting year, officers have arranged with colleagues in Aberdeenshire Council to conduct mutual external peer-review of the reporting dependent on workload capacity in respective teams.

5. NEXT STEPS

- 5.1 The data collected as part of the Public Bodies Climate Change Reporting will be used to inform updates to the Council's Climate Change Plan and Routemap to Net Zero which will be reported to a meeting of this Committee in spring 2024.
- 5.2 In the meantime, the Committee should be aware that the continuing trend of returning to a 'business as usual' working practice is a risk to the Council in terms of achieving its own and subsequent national statutory emissions targets. The Council's climate change officers have worked alongside key services to consider what measures would be most helpful and achievable to address this situation.
- 5.3 Emissions from fossil fuel based heat sources continue to represent a significant proportion of the Council's carbon emissions. Taking all steps to decarbonise building heating systems is necessary to achieving local and national net zero targets.

HEAT IN BUILDINGS

- 5.4 Under the Heat Networks (Scotland) Act 2021, the Council now has a statutory duty to produce a building assessment report for each of its buildings to check if they are suitable to connect to a heat network. The reports will provide important data for heat network zoning by highlighting opportunities where buildings can reasonably benefit from low carbon district heating.
- 5.5 The data collected can then be used to develop heat network zones, which are areas where there is a high concentration of buildings that could be connected to a heat network. This can help to make heat networks more cost-effective and efficient, and can also encourage investment in local heat network projects.
- 5.6 The heat network reports will be produced and submitted to the Scottish Government by the Council's climate change and energy officers as soon as reasonably practicable and thereafter at intervals of five years in line with the statutory duty.

6. FUTURE REPORTING

- 6.1 The Council will continue to be required to publish annual climate change reports as per the Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Order 2015 and Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Amendment Order 2020. This statutory reporting will be fulfilled by the Council's climate change officers.
- 6.2 Officers working across the Council will therefore continue to have a responsibility to provide all necessary information required for submission as part of the statutory annual climate change reporting.

- 6.3 Data collected for the purposes of annual climate change reporting including areas showing increases will continue to be used to inform updates to the Council's Climate Change Action Plan and Routemap to Net Zero Carbon Emissions.

7. **SUMMARY OF IMPLICATIONS**

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

This reporting demonstrates the Council's progress in contributing to Scotland's ambitious greenhouse gas emissions targets.

The Council's Corporate Plan 2019-2024 identifies the environment as a key principle in the delivery of the Council's priorities:

"Environment – look after the world we live in to protect it for our future"

and for Moray Council to be:

"A resource efficient, carbon neutral council that works with partners to mitigate the worst effects of Climate Change, to create a resilient, fair and more sustainable future for everyone within Moray".

(b) **Policy and Legal**

The Climate Change (Scotland) Act 2009 places a duty on public bodies to act in the way best calculated to contribute to the delivery of Scotland's climate change targets; in the way best calculated to help deliver any programme for climate change adaptation laid before the Scottish Parliament; in a way it considers most sustainable.

The Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Order 2015 requires that public bodies prepare a report on compliance with climate change duties as set out by the Climate Change (Scotland) Act 2009.

The Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Amendment Order 2020 requires that the body to provide further details within its mandatory reporting on climate change duties.

(c) **Financial implications**

There is potential for significant financial cost to the Council to offset carbon emissions in the future which is being considered as part of the Climate Change Routemap progress reporting.

(d) **Risk Implications**

There is a risk that avoidable financial costs could be incurred by the Council in the future if actions are not taken to reduce carbon emissions. The approach to this is being monitored through Climate Change Routemap Updates.

(e) Staffing Implications

There are no staffing implications.

(f) Property

There are no property implications.

(g) Equalities/Socio Economic Impact

There are no equalities/socio economic impact implications.

(h) Climate Change and Biodiversity Impacts

The recommendations within this report are intended to reduce the Council's carbon emissions. The upcoming revision to the Council's Climate Change Action Plan & Routemap to Net Zero document will include updated emissions forecasting and actions, taking account of the data and recommendations arising from this report.

(i) Consultations

The Depute Chief Executive (Economy, Environment and Finance), the Head of Economic Growth and Development, the Corporate Management Team, the Legal Services Manager, the Energy Officer, the Equal Opportunities Officer, the Senior Organisational Development Adviser, the Sustainable Travel Officer, the Senior Project Officer Active Travel Strategy and the Democratic Services Manager.

8. CONCLUSION

8.1 The submission of the Public Sector Report on Compliance with Climate Change Duties 2022/23 to the Scottish Government in November 2023 will fulfil the Council's statutory climate change reporting obligation.

8.2 The Council will continue to be required to submit annual Public Sector Reports on Compliance with Climate Change Duties.

8.3 Data collected for the 2022/23 submission reveals that a return to 'business as usual' has led to an increase in the Council's carbon emissions, and next steps are suggested to address this.

Author of Report: George Gunn, Climate Change Officer
Background Papers: As referred to within this report.
Ref:

Emission source	Type	2021/22 emissions (tCO2e)	2022/23 emissions (tCO2e)	% Change	Change (tCO2e)
Landfill gas kWh	Scope 1	0.7	-	-100.00%	-0.70
Clinical Waste - Other	Scope 3	77.2	-	-100.00%	-77.20
Gas oil litre	Scope 1	278.3	0.1	-99.95%	-278.17
Homeworking emissions	Scope 3	1,128.5	7.6	-99.32%	-1120.87
Mixed recycling	Scope 3	16.0	1.6	-89.96%	-14.39
Clothing (Closed loop recycling)	Scope 3	10.7	1.7	-83.84%	-8.97
Marine Fuel Oil litres	Scope 1	111.8	56.0	-49.93%	-55.82
Biomass (Wood Pellets) kWh	Scope 1	15.0	7.6	-49.11%	-7.37
Plastics (Average) Recycling	Scope 3	15.4	8.3	-46.17%	-7.11
WEEE (Mixed) Recycling	Scope 3	24.0	17.5	-27.18%	-6.52
Water - Treatment	Scope 3	23.2	18.5	-20.19%	-4.68
Gas oil kWh	Scope 1	856.8	704.9	-17.73%	-151.91
Metal Cans (Mixed) & Metal Scrap Recycling	Scope 3	21.2	17.5	-17.24%	-3.65
Organic Food & Drink Composting	Scope 3	73.9	63.0	-14.73%	-10.88
Glass Recycling	Scope 3	70.1	60.2	-14.07%	-9.86
Water - Supply	Scope 3	11.7	10.3	-12.32%	-1.44
Natural Gas	Scope 1	4,722.7	4,321.6	-8.49%	-401.06
Grid Electricity (generation)	Scope 2	2,909.8	2,670.6	-8.22%	-239.22
Grid Electricity (transmission & distribution losses)	Scope 3	257.5	244.3	-5.13%	-13.20
Organic Garden Waste Composting	Scope 3	83.2	81.0	-2.63%	-2.19
Paper & Board (Mixed) Recycling	Scope 3	93.4	91.3	-2.23%	-2.08
Biomass (Wood Chips)kWh	Scope 1	20.2	20.3	0.32%	0.1
Refuse Commercial & Industrial to Landfill	Scope 3	2,335.8	2,438.9	4.41%	103.1
Refuse Municipal to Landfill	Scope 3	8,110.2	8,802.2	8.53%	692.0
Petrol (average biofuel blend)	Scope 1	27.7	30.4	9.64%	2.7
Diesel (average biofuel blend)	Scope 1	3,001.3	3,770.3	25.62%	769.0
Grey fleet (average car) mileage	Scope 3	263.8	423.3	60.48%	159.5
Short-haul flights (Economy class)	Scope 3	1.7	2.9	71.59%	1.2
Hotel stays - UK	Scope 3	1.9	3.6	88.84%	1.7
Rail (National Rail)	Scope 3	0.9	31.0	3349.61%	30.1
Staff commuting emissions	Scope 3	Not previously reported	1,658.0	n/a	1,658.0
TOTALS:		24,565	25,565		



REPORT TO: ECONOMIC DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE ON 14 NOVEMBER 2023

SUBJECT: INDUSTRIAL PORTFOLIO ANNUAL REPORT 2022/23

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

1. REASON FOR REPORT

- 1.1 This report sets out the annual performance of the Council's Industrial Portfolio in 2022/23 and seeks approval in principle for a related sale of property.
- 1.2 This report is submitted to the Committee in terms of Section III A (3) of the Council's Scheme of Administration relating to the acquisition or sale of property up to a value of £100,000.

2. RECOMMENDATION

2.1 It is recommended that the Committee:-

- (i) considers and notes the Annual Report for 2022/23;**
- (ii) welcomes the good performance of the Council's Industrial Portfolio; and**
- (iii) agrees in principle to the sale of the property in Lossiemouth as detailed in paragraph 6.3 of this report.**

3. BACKGROUND

- 3.1 The Council's industrial portfolio comprises a range of industrial land and buildings throughout Moray including all of the principal settlements. At 31 March 2023, the Council's industrial portfolio comprised 174 industrial buildings with a total floor area of 29,664m²; 130 development and ground leases with a total site area of 21.81 hectares and a stock of serviced and unserviced land for future development totalling 18.6 hectares. The distribution of industrial buildings, industrial sites and development land in Moray is detailed in **APPENDIX I**.

3.2 Annual reports have been presented to Committee since 2002; the last report was presented to the Economic Development and Infrastructure Committee on 6 September 2022 as an information report. This report is submitted as the Council's Annual Industrial Portfolio Report for 2022/23, providing a summary of the portfolio's performance and main issues, but is on the main agenda given recommendation (iii).

4. **PERFORMANCE**

Rental Income

4.1 The total gross rental income for the past 6 years is set out below:-

2017/2018	£1,756,000
2018/2019	£1,930,000
2019/2020	£1,954,000
2020/2021	£1,940,000
2021/2022	£2,066,000
2022/2023	£2,085,000

4.2 Rental income was impacted by the Covid lockdown in 2020/21 and there was considerable uncertainty over the medium/long term impact on the portfolio. However, the portfolio has recovered well and rental income continues to grow – increasing by £19,000 in 2022/23 and exceeding the target of £2,023,000 by £62,000. Rental growth in 2022/23 was restricted by the sale of properties and difficulties encountered by a number of tenants that survived the Covid lockdowns, but did not fully recover, resulting in more turnover of tenants than usual.

4.3 The portfolio's annual income has increased by £895,000 over the last 10 years and **APPENDIX II** illustrates the gross rental income generated by the industrial portfolio over the period 2012/13 to 2022/23.

4.4 The net rental income after deduction of property running costs, staff, administrative and capital financing costs in 2021/22 was £1,390,000. This is a decrease of £30,000 from 2021/22 - due to cost increases including staff wages, energy costs, non-domestic rates costs and greater use of external solicitors due to in house staff shortages. **APPENDIX II** illustrates the net rental income generated by the industrial portfolio over the period this has been recorded - 2013/14 to 2022/23.

4.5 It is very difficult to compare the rental of the industrial portfolio objectively over a number of years as its composition changes due to the sale of properties, addition of new properties and the refurbishment and repair of existing properties. However, **APPENDIX III** demonstrates how increases in rental achieved at rent review for industrial premises (3 yearly rent reviews) and for industrial sites (5 yearly rent reviews) compare to the Consumer Prices Index (CPI) over the corresponding periods. 2022/23 was the first year recorded that the rise in the CPI outstripped rents, reflecting a dramatic increase in the CPI.

Debt

- 4.6 Debt increased significantly due to the impact of the coronavirus on tenants and the Estates team has deployed considerable resources (working corporately with Legal Services and Finance) to work with tenants to minimise arrears. A range of measures are used to safeguard the Council's interests if discussions with tenants fail to reach satisfactory outcomes.
- 4.7 Progress has been made and the level of rent/insurance arrears was 4.42% at 31 March 2023, down from 6.71% at 31 March 2021.

The % debt on this basis for the last six years is as set out below:-

2017/18 - 4.66%
2018/19 - 6.99%
2019/20 - 7.06%
2020/21 - 8.7%
2021/22 - 6.71%
2022/23 - 4.42%

Occupancy

- 4.8 The occupancy levels of Council industrial buildings in recent years are set out below:-

Year	% of floorspace occupied	% of buildings occupied
2017/18	94.4%	92.7%
2018/19	83.57%*	93.18%
2019/20	93.54%	95.48%
2020/21	88.84%	93.71%
2021/22	92.45%	92.57%
2022/23	90.19%	88.51%

* The floor area occupancy figures for 2018/19 were skewed as a result of the former sawmill at Waterford Circle in Forres (which was by far the largest in the portfolio) becoming vacant.

- 4.9 At 31 March 2023 the occupancy rate in terms of buildings occupied was 88.51% compared to the target of 80%.
- 4.10 As stated at paragraph 4.2 above there was more turnover of tenants than usual in 2022/23 due to difficulties encountered by a number of tenants that survived the Covid lockdowns, but did not fully recover.

Capital Receipts

- 4.11 The sale of industrial land and buildings has generated capital receipts to the Council over the past 6 years as follows:-

2017/18 - £70,500
2018/19 - £0
2019/20 - £417,000
2020/21 - £605,250
2021/22 - £23,900
2022-23 - £320,125

- 4.12 The following properties, which were identified in the 2021/22 annual review of the portfolio as suitable for sale, were disposed of in 2022/23 - 2 Dufftown Industrial Estate, 9 Linkwood Place, Elgin and Land at March Road West, Buckie.

Development

- 4.13 In recent years the Council has invested in general upgrading works to the Industrial Portfolio to ensure the properties remain responsive to future business needs. During 2022/23, the Council invested £67,000 of revenue and £39,000 of capital in the Industrial Portfolio and in supporting industrial development across Moray through a range of projects including roof repairs, electrical repairs/upgrades, new fencing, new doors, foul water repairs/upgrades, estate road repairs, exterior painting and design work to create new yards for let.
- 4.14 Refurbishment works ensure properties continue to meet business needs and safeguard future rental income. Officers will continue to work with tenants on the most appropriate ways to deliver improvements to properties, including agreeing where appropriate for tenants to do works in return for commensurate temporary reductions in rental, or capital payments.
- 4.15 Whilst the revenue repairs budget is sufficient at present to meet ongoing repairs and maintenance needs, as the portfolio expands and the newer units age, there will likely be a future requirement to increase the revenue repairs budget.

5. TRENDS AND CHALLENGES

Coronavirus

- 5.1 The coronavirus pandemic and associated restrictions had adverse impacts on the majority of tenants. All but a few suspended trading during the first national lockdown from 23 March 2020 until mid July 2020 and many continued to experience trading difficulties thereafter.
- 5.2 The level of rental debt increased significantly during the first lockdown and officers worked closely with tenants to agree phased repayments. As shown at paragraph 4.7 above, the portfolio's debt has reduced, as most tenants managed to make phased repayments. Officers have closely monitored the impact of the phasing out of government Covid support packages and continued to work closely with a number of tenants struggling to recover.
- 5.3 There was a greater level of lease terminations than usual in 2022/23 which was partly due to tenants who failed to fully recover from Covid ceasing to trade.

Economy

- 5.4 There is continuing global and national uncertainty surrounding the war in Ukraine and recovery from the Covid-19 pandemic. Despite nationally low growth and high inflation, the Moray commercial property market is considered to be currently stable, but officers will continue to monitor closely any impacts on local businesses and knock on effects for the industrial portfolio. Fears of weaker demand, increased voids, increased debt levels and pressure on rents have so far not materialised locally - there is currently good demand for units and rentals have continued to increase.

Supply of Properties

- 5.5 Although for decades there has been very little private sector provision of industrial property to let in Moray, 36 units for speculative let were completed by private developers in Elgin in the last 3 years. These have been facilitated by public sector investment in infrastructure to provide serviced sites. Officers are aware that a number remain vacant, indicating that there are sufficient units (if not an oversupply) in the town. Officers will continue to monitor the situation and take account of this in assessing future property needs and impact on occupation and rentals of Council properties.
- 5.6 Elgin Business Park was developed by Saltire Properties with infrastructure funding assistance from Highlands and Islands Enterprise to meet a shortage of industrial development land in the town. The Park has been very successful and very few sites remain available. This reflects pent up demand from businesses seeking to invest in developing their own bespoke premises, which were previously frustrated by the lack of suitable sites. The Council's Employment Land Audit 2023 (which was informed by a Property Needs Study by Ryden Property Consultants) states that due to the take up of sites at Elgin Business Park it is anticipated that the level of immediately available land in Elgin will reduce significantly over the next few years and bringing forward and servicing new sites will be critical to maintaining supplies.
- 5.7 The Employment Land Audit also highlights significant shortages of general industrial land in Speyside and Forres that requires to be urgently addressed.
- 5.8 In 2022/23 the industrial portfolio continued to meet its objectives of:-
- (i) minimising the number of vacant properties as far as is consistent with current market conditions; and
 - (ii) maximising overall rental income and thereby minimising the cost of the service.
- 5.9 However, there remain concerns about a shortage of industrial development land and units in various locations and it is very unlikely that the private sector will invest given the relatively high risks and low returns on capital costs.
- 5.10 The following actions by the Council are aimed at addressing supply issues:-
- (i) a major extension of March Road Industrial Estate in Buckie has provided a supply of industrial development land in East Moray;
 - (ii) officers continue to work with private developers to facilitate the provision of new business units;
 - (iii) officers are trying to identify potentially suitable sites as part of work on the next Moray Local Development Plan (which has begun), for medium/long term development by the public and /or private sector;

- (iv) potential further opportunities to acquire and develop land and buildings will be considered as part of the Council's asset management rationalisation programme. A review of the Council's depot and storage properties is expected to be presented to this committee meeting, which will include identifying opportunities to relocate Council services currently occupying industrial portfolio property; and
- (v) existing properties will be repaired and refurbished as required.

Expansion of the Portfolio

- 5.11 Officers have investigated options/opportunities to expand the portfolio to address shortages of available property and generate additional rental income to the Council. These are summarised below.
- 5.12 Forres – working in partnership with Highlands and Islands Enterprise (HIE) it was proposed to purchase and develop land zoned for industrial purposes on the outskirts of Forres with a view to creating a new industrial estate and expansion of the adjacent Business Park. The landowners were willing in principle to sell the land. However, HIE withdrew from the project citing budgetary pressures. Site investigations revealed large areas of peat and clay and these factors, combined with general construction cost inflation, mean the project is not financially viable at present.
- 5.13 Speyside – despite extensive efforts over many years no suitable sites have been identified. Recently, officers investigated a potentially suitable site in Speyside with a view to the Council purchasing land and providing serviced sites and business units. However, access difficulties, abnormal site specific development costs, combined with general construction cost inflation, mean the project is not financially viable at present.
- 5.14 Buckie - the Council's 20 industrial units in Buckie have been virtually fully let for a number of years. When tenants vacate buildings they are readily re-let and it is expected that demand will increase due to Buckie's development as a base for offshore wind operations creating supply chain opportunities. Officers investigated proposals to build more small units on Council owned land at Rathven Industrial Estate. However, construction cost increases mean the project is not financially viable at present.
- 5.15 Officers will continue to investigate any opportunities for expansion of the portfolio, albeit it is unlikely that any financially viable projects will be forthcoming in the short term at least.
- 5.16 Any proposals for funding future development of the Industrial Portfolio will be brought forward through the Council's asset management, capital planning and economic development capital fund processes.

Age and Condition

- 5.17 A significant amount of the portfolio was provided during the 1960s and 1970s and condition surveys circa 2009 identified significant amounts of backlog maintenance/repair. Although tenants are obliged to carry out some of the outstanding repairs/maintenance where their lease includes an obligation to maintain and repair the property, some of the outstanding works, particularly those of an inherent nature, due to the age of the property require to be

addressed by the Council. The Council pursued a refurbishment programme over several years to ensure properties continued to meet the needs of businesses. The works carried out were predominantly to the fabric of the properties – replacing roofs and windows, as well as estate road upgrades.

- 5.18 Further condition surveys have been delayed due to staffing shortages. However, officers are aware that the electrical systems in many units are dated and a prioritised programme of upgrades is now being implemented.

Rentals

- 5.19 The rental generated by the industrial portfolio continued to grow in 2022/23, but as predicted in last year's annual report this was tempered by the sale of rental generating properties and a residue of Covid impacted tenants. As also forecast in last year's annual report, inflation outstripped rental growth in 2022/23 for the first time since the initial Annual Industrial Report in 2002. As is illustrated in **APPENDIX III** this was due to the dramatic rise in the Consumer Price Index rather than changes in rental growth trends.
- 5.20 Barring an unforeseen change in circumstances, the rent of the industrial portfolio is expected to continue to grow in 2023/24.
- 5.21 In Elgin, the construction by the private sector of 36 new units has not materially impacted demand and rents for the Council's properties in the town.

Occupation of Industrial Portfolio Properties by Council Services

- 5.22 At 31 March 2023, 12 of the Council's properties were occupied by Council services, which is contrary to the objectives of the portfolio to maintain an adequate supply of affordable premises in appropriate locations within Moray and maximise overall rental income. However, the vast majority of these properties are within the scope of the current review of Council depots and stores being taken forward by the Head of Housing and Property and it is planned that where opportunities arise officers will seek to relocate Council services to free the properties for letting to private enterprises.
- 5.23 Occupation of industrial units by Council services has occurred in a piecemeal fashion over many years. In order to take a strategic asset management approach any new requests by Council services will be considered by the Asset Management Working Group.

Energy Efficiency

- 5.24 Since 2018 in England and Wales there has been a prohibition on letting properties with Energy Performance Certificates (EPCs) worse than E ratings. In 2018 the Scottish Government consulted on draft proposals to make non-domestic properties more energy efficient and further consultations were delayed due to the coronavirus. It is unclear at this stage if proposals will be targeted at CO² producing heating systems of which there are 19 industrial units, or impact more widely on the portfolio which has approximately 63 units with heating systems. Officers will continue to monitor developments closely whilst investigating cost effective means to comply.
- 5.25 Officers are monitoring current Scottish Government consultations on revised EPC methodology.

Mosstodloch Industrial Estate

- 5.26 This estate has suffered flooding on several occasions during periods of exceptional rainfall, despite significant investment by the Council in upgrading the surface water drainage system. A major adjacent business has installed various water/drainage alleviation measures, which have mitigated flooding at this location. That business is seeking to expand its operations in Mosstodloch, including comprehensive flood solutions within its proposals and officers continue to liaise with the company.

Budgetary

- 5.27 Budget pressures limited opportunities to further develop the portfolio for several years, but recently monies, including additional funding for economic recovery, were allocated in the Capital Plan. However, due to the difficulties encountered with expansion proposals as detailed above, as well as the Council's financial pressures, the monies have been reprogrammed to future years, when potential projects can be reviewed in terms of need, financial viability and available budgets at that time.
- 5.28 A number of industrial portfolio developments were funded with assistance from the European Union. The audit processes for a number of the funding schemes have now been completed with the others due to be complete in the next 1-2 years. As such, conditions attached to European funded projects may no longer apply and the Scottish Government will be consulted on a case-by-case basis if any change of use of properties that were funded by the 2007- 2013 European funding programme are proposed. Opportunities to potentially secure funding for industrial development from the UK Shared Prosperity Fund, the Place Based Investment Fund and the Just Transition Fund appear very limited.

2023/24 Projects

- 5.29 Monies have been allocated in the current capital programme to carry out condition surveys and for the refurbishment of the portfolio. The condition surveys have been delayed due to staff shortages, but meantime officers have identified the following projects:-
- a) Create secure yards at Rathven Industrial Estate, Buckie.
 - b) Upfill site at Chanonry Road North, Elgin.
 - c) Upgrade road, circulation and parking areas at 4-8 Chanonry Road South, Elgin.
 - d) New fencing, gates and roller door at unit in Buckie.
 - e) Upgrading of yards at Waterford Circle and Greshop, Forres.
 - f) Remove glass entrance atriums and create additional parking at various units at Isla Bank Mills Industrial Estate, Keith.
 - g) Roof upgrades at Isla Bank Mills Industrial Estate, Keith.
 - h) Create new vehicular entrance to Unit F Isla Bank Mills Industrial Estate, Keith.
 - i) Lighting, windows and insulation upgrades at units at Isla Bank Mills Industrial Estate, Keith.
 - j) Electrical upgrades of various units.

6. ANNUAL REVIEW

- 6.1 Officers keep the performance of the portfolio and its constituent parts under constant/ongoing review to ensure it continues to fulfil the objectives of the Portfolio (as detailed in section 7 below) and give consideration to proposals to maintain its ability to meet those objectives.
- 6.2 The main criteria are income generation compared to costs/risks (such as repairs, void periods and empty property rates) and potential to release development value.
- 6.3 A review of the portfolio has been carried out concluding that all the portfolio's constituent properties should be retained with the exception of the following properties.
- Rothes Industrial Estate – the estate comprised 2 small industrial units and 2 site leases all of which had been leased to Forsyths Engineering for many years, as well as a telecoms site lease. As approved by the Economic Development and Infrastructure Services Committee at its meeting on 7 February 2023 (para 20 of the Minute refers) the Council sold the estate on 26 June 2023 to Forsyths for £245,000. The rental income foregone is £16,200 per annum. As these properties had been leased and occupied by Forsyths for many years the sale will not impact on the availability of commercial properties to let to small businesses in Speyside. The sale of these properties was linked to the acquisition from Forsyths, by the Council, of land at McLaren's Brae, Buckie to facilitate offshore wind farm operations at Buckie Harbour.
 - 7 Coularbank Industrial Estate – this property is leased for five years from 1 July 2021 at a rent of £28,800 per annum. The tenant wishes to build an extension to facilitate business growth, but would like greater security of tenure for his investment. It is proposed that this Committee agrees in principle to officers negotiating main terms with the tenant for a sale of the building, conditional on a 99 year ground lease – with a view to reporting provisionally agreed main terms to the Corporate Committee.

7. SUMMARY OF IMPLICATIONS

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

The management and development of the Industrial Portfolio supports the LOIP priority of “a growing, diverse and sustainable economy” as well as the priority of the Corporate Plan of promoting economic development and growth. It also accords with the aim of the Moray Economic Strategy of facilitating economic growth and diversification of the local economy.

(b) Policy and Legal

The policy objectives of the industrial portfolio are as follows:-

- a) To maintain an adequate supply of affordable premises in appropriate locations within Moray;
- b) To minimise the number of vacant properties as far as is consistent with current market conditions; and
- c) To maximise overall rental income and thereby minimise the cost of the service.

(c) Financial Implications

Gross rental income in 2022/23 was £2,085,000 and net rental income £1,390,000.

A number of revenue and capital works were delayed due to various factors, including difficulties securing contractors and £138,000 of capital has been carried forward into 2023/24.

The allocations in Table 1 below have been made in the capital plan for 2023/24.

Table 1

<u>Item</u>	<u>Monies</u>
Serviced Sites Elgin	£24,000
Road Upgrades	£10,000
Refurbishments	£164,000

Revenue expenditure on repairs and maintenance is forecast to be within the current budget of £70,185 in 2023/24.

Proposals for future years' capital developments will be taken forward through the Council's financial planning process. However, recent assessments of potential development projects concluded that rental income compared to construction costs, ongoing management costs and risks, was insufficient, rendering the projects financially unviable. The timescales for returns on investment are incompatible with the Council's current budgetary situation in an area where intervention is discretionary.

(d) Risk Implications

The main risks are detailed above in Section 5 of this report.

(e) Staffing Implications

The Estates Team manages the Industrial Portfolio on behalf of the Council. Workload within the team is at capacity and timescales are having to be extended on priority tasks.

Any expansion of the industrial portfolio would require additional staff resource.

Legal Services staff continue to be involved in formalising lease agreements and pursuing rent arrears where necessary.

- (f) **Property**
The property implications are as detailed in this report.
- (g) **Equalities/Socio Economic Impact**
There are no equalities or socio economic issues arising from this report.
- (h) **Climate Change and Biodiversity Impacts**
No climate change or biodiversity implications have been identified relating to the recommendations of this report.
- (i) **Consultations**
The Head of Housing and Property Services, the Chief Financial Officer, the Property Asset Manager, the Legal Services Manager, the Head of Development Services, the Equal Opportunities Officer and Caroline O'Connor, Committee Services Officer have been consulted and their comments incorporated in this report as appropriate.

Discussions continue to take place regularly with Highlands and Islands Enterprise (HIE) to ensure a co-ordinated and complimentary approach to property provision. HIE concentrates on the provision of larger, higher specification/amenity properties, whereas the Council focuses on smaller more general industrial properties.

Officers continue to liaise regularly with private sector developers/providers of industrial property.

8. CONCLUSIONS

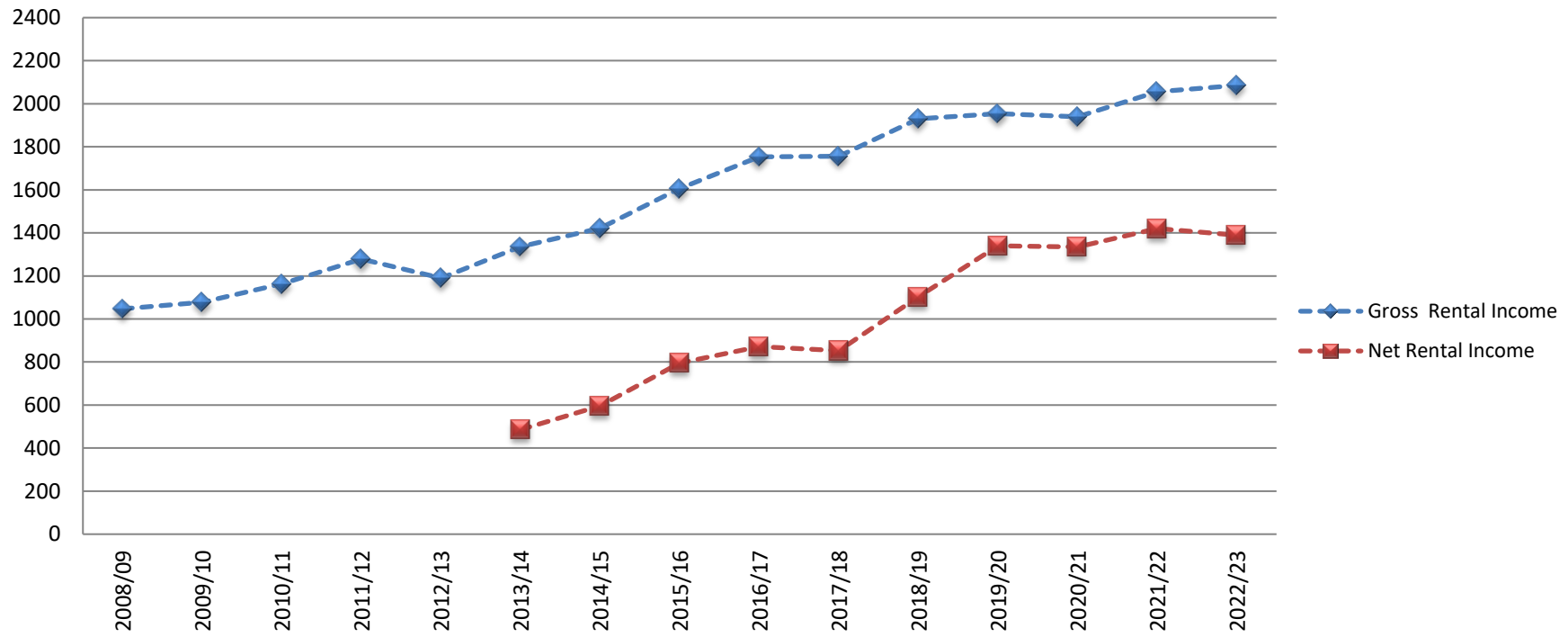
- 8.1 The Industrial Portfolio exceeded targets for rental income and occupancy in 2022/23.**
- 8.2 To ensure the portfolio continues to meet business needs a programme of works is in place to improve the condition of the Council's existing industrial buildings. The projects have been delivered within budget and ensure the Council's portfolio continues to meet business needs and support economic development in Moray.**

Author of Report: Stuart Beveridge, Asset Manager (Commercial Buildings)
Background Papers: None
Ref: SPMAN-1285234812-1406

INDUSTRIAL PORTFOLIO ANNUAL REPORT 2022/23
ANALYSIS OF PORTFOLIO AS AT 31 MARCH 2023

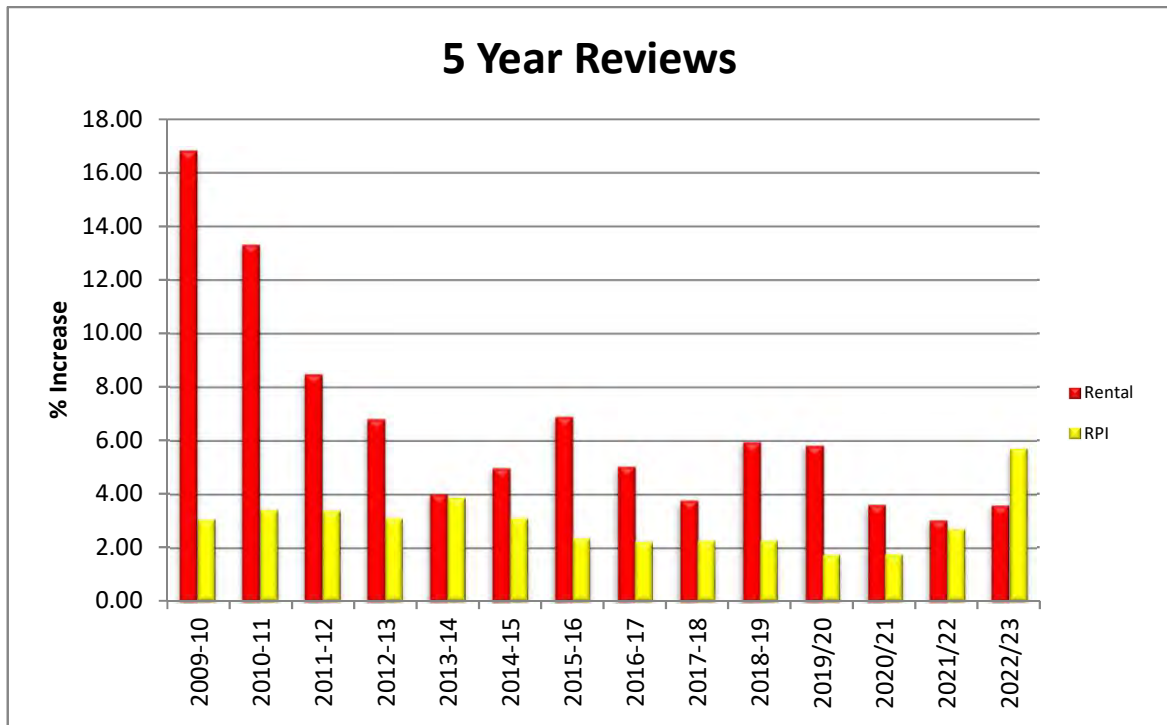
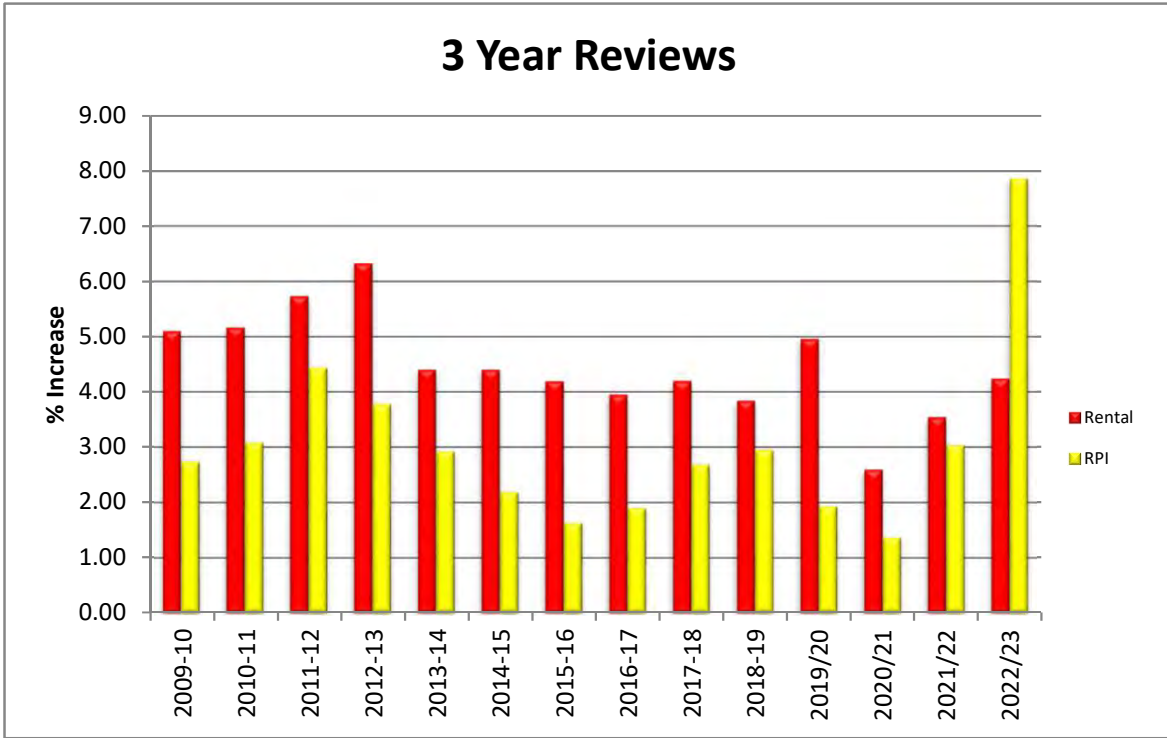
ALL INDUSTRIAL BUILDINGS			LET INDUSTRIAL SITES		FUTURE INDUSTRIAL DEVELOPMENT LAND	
Settlement	No.	Floor Area (m ²)	No.	Total Area (Ha)	Serviced (Ha)	Unserviced (Ha)
Elgin	65	9,807	72	9.99	0.67	0.94
Forres	24	3,008	15	3.61	0	0
Buckie	20	2,896	9	3.32	6.65	7.96
Keith	38	11,155	12	1.52	0.54	1.84
Lossiemouth	13	1,394	9	0.97	0.00	0.00
Other	14	1,405	13	2.40	0.00	0.00
TOTAL	174	29,664	130	21.81	7.86	10.74

Appendix II Rental Income



Annualised Rental Growth

APPENDIX III





REPORT TO: ECONOMIC DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE ON 14 NOVEMBER 2023

SUBJECT: ANNUAL REPORT ON ENERGY STRATEGY/ACTIONS

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

1. REASON FOR REPORT

- 1.1 This report sets out the annual energy and water performance of the Council's non-domestic building portfolio in 2022/23.
- 1.2 This report is submitted to Committee in terms of Section III (F) (34) of the Council's Scheme of Administration relating to the monitoring of the Council's Economic Development and Infrastructure Services.

2. RECOMMENDATION

2.1 It is recommended that Committee:-

- (i) **considers and notes the Annual Energy Report for 2022/23 set out in the report;**
- (ii) **notes that in 2022/23 the Council's energy consumption in non-domestic operational properties decreased by 7%, and the energy bill increased by 41.4% (£1,368,365);**
- (iii) **approves the update of Energy Policy at APPENDIX I to align with the mandatory targets set by the Scottish Government and agrees that officers review the Energy Policy and Strategy annually in order to align its goals with the Route Map to Net Zero; and**
- (iv) **notes the making of a SALIX grant application as set out in Paragraph 7.6.**

3. BACKGROUND

- 3.1 Annual reports have been presented to Committee since 2006; the last report was submitted for noting to this Committee on 15 November 2022 (paragraph 9 of the minute refers). This report is submitted as the Council's Annual Energy Report for 2022/23.

- 3.2 Improving energy efficiency not only minimises costs, but also reduces on-going carbon emissions in the most cost-effective manner.
- 3.3 During the financial year 2022/23 Moray Council's expenditure on utilities (including street lighting) was approximately £5.1M, with associated carbon emissions of 9,494 tonnes CO₂.

4. **PERFORMANCE**

Consumption and Costs

- 4.1 Table 1 provides a summary of the Council's utilities consumption, costs and emissions during 2022/23. Heat refers to kWh from Biomass plant.

Table 1

Annual Report Figures 22 -23			
Commodity	Consumption (kWh/m3)	Net Cost (£)	Carbon (tonnes CO₂)
Heat	1,924,450	£141,560	29
Oil	2,744,999	£204,952	759
Gas	23,675,047	£1,664,088	4,355
Electricity	11,475,718	£2,135,121	3,525
Street Lighting & Unmetered Elec	2,334,269	£434,574	717
Water (m3)	102,588	£526,407	108
Totals		£5,106,702	9,494

- 4.2 The operation of the Council's non-domestic buildings cost £4,672,128 with further expenditure of £434,574 on street lighting and unmetered electricity.

Combined Energy Consumption

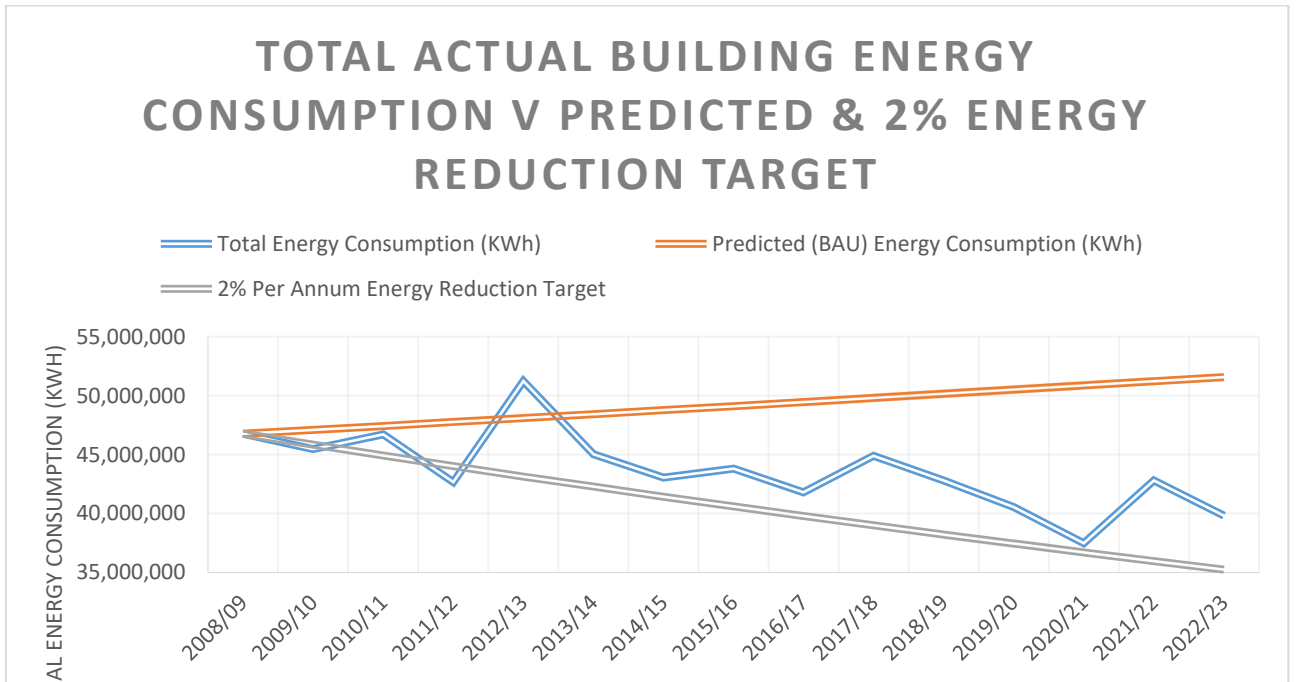
- 4.3 Table 2 below provides a comparison of energy consumption between 2021/22 and 2022/23 for individual utilities.

Table 2

Utility	21-22	22-23	Difference	%
Heat	2,324,492	1,924,450	-400,042	-17%
Oil	3,336,476	2,744,999	-591,477	-18%
Gas	25,784,297	23,675,047	-2,109,250	-8%
Electricity	11,360,814	11,475,718	114,904	1.0%
Overall Building Total (kWh)	42,806,079	39,820,214	-2,985,865	-7.0%
Street Lighting & Unmetered Elec	2,343,106	2,334,269	-8,837	0%
Overall Total (kWh)	45,149,185	42,154,483	-2,994,702	-6.6%
Water (m3)	106,151	102,588	-3,563	-3.4%

- 4.4 The combined energy consumption from the Council's buildings, for 2022/23 was 39,820,214 kWh compared with consumption of 42,806,079 kWh for 2021/22, equivalent to a 6.6% decrease.

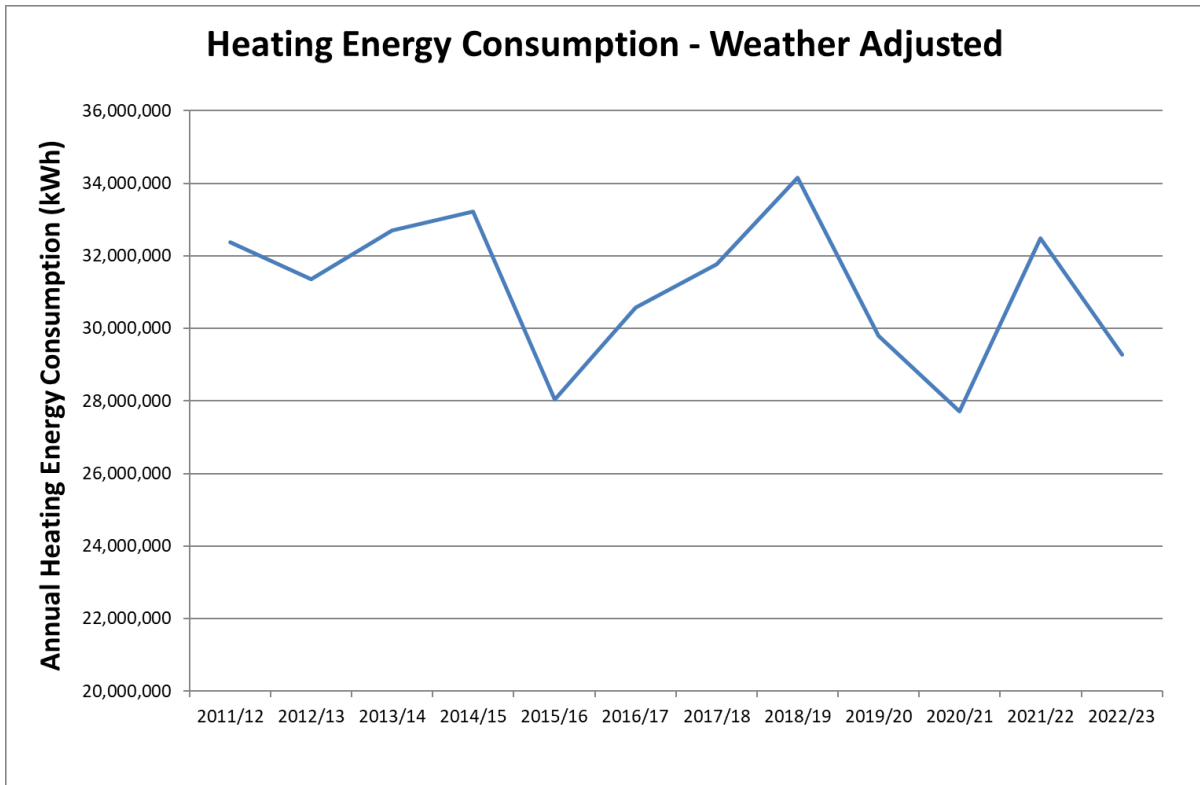
4.5 The graph below shows the Council’s total energy consumption in its non-domestic buildings against a 2008/09 baseline, compared to the 2% energy consumption reduction target and predicted increases, (based upon Government forecasts of a Business-as-Usual uplift of 0.7% per annum). This baseline will be adjusted in light of the policy at Appendix 1 if approved.



4.6 Heating-related Energy Consumption

To take account of weather conditions a measure termed “Degree Days” is utilised to incorporate the effect of warmer or colder conditions – permitting a comparison of heating related efficiency.

4.7 The graph below shows the Council’s weather adjusted heating consumption for the last 11 years.



4.8 Heating accounts for a significant proportion of the Council’s energy consumption. The weather in 2022/23 was 5% warmer than in 2021/22 and the graph above shows a weather adjusted decrease in heating consumption of 5.4% compared to 2021/22. This can be attributed to the effect of reducing the temperatures in our buildings and heating settings being optimised.

4.9 Table 3 summarises the absolute and relative variations in gas consumption for the various property groupings within the Council’s property estate.

Table 3

Property Grouping	Consumption 21-22 kWh	Consumption 22-23 kWh	kWh Difference	% Difference
Community Centres	469,547	463,681	- 5,866	-1.3%
Day Centres	1,030,133	874,367	- 155,766	-17.8%
Libraries	704,831	541,672	- 163,159	-30.1%
Offices	1,343,695	1,306,435	- 37,260	-2.9%
Primary Schools	7,874,244	7,004,574	- 869,670	-12.4%
Residential Homes	934,389	837,020	- 97,369	-11.6%
Secondary Schools & Swimming Pools	12,254,424	11,517,421	- 737,003	-6.4%

4.10 Main points to note in relation to table 3 are as follows:-

- The decrease in consumption can be attributed to a mixture of warmer weather conditions and management of heating controls.
- Schools account for the largest decrease in consumption in volume terms.
- The decrease in consumption in Libraries is from savings made in Elgin Library from a mixture of reducing temperatures and managing heating settings.

Water Consumption

- 4.11 The Council's water consumption for 2022/23 was 102,558m³ compared with consumption of 106,151m³ for 2021/22, a decrease of 3,563 m³, equivalent to a 3.4% decrease. Replacement taps in primary schools and monitoring of water consumption by the energy team identifying and dealing with issues early are responsible for this saving.

Street Lighting

- 4.12 The management and maintenance of street lighting is undertaken by Direct Services. The associated energy consumption in 2022/23 was 2,334,269 kWh, 0.4% lower than the 2021/22 consumption of 2,343,106 kWh. It is expected that this will remain stable as the LED replacement programme completes. Electricity consumption has dropped by 67% compared to that being used prior to the project starting in 2017.

Carbon

- 4.13 Carbon dioxide emissions provides a single common denominator between disparate activities such as electricity, transport and waste recycling. Table 4 details the carbon emissions associated with energy and water consumptions attributable to Moray Council building related operations (figures are in tonnes of CO₂).

Table 4

Utility	21-22	22-23	Difference	%
Heat	35	20	-15	-42%
Oil	857	759	-98	-11%
Gas	4,723	4,355	-367	-8%
Electricity	2,412	2,219	-193	-8%
Electricity T&D Losses	213	203	-10	-5%
Street Lighting & Unmetered Elec	498	493	-5	-1%
Street Lighting & Unmetered Elec T&D	44	41	-3	-6%
Water	12	10	-1	-12%
Water Treatment	23	19	-5	-20%
Overall Total C02e	8,817	8,120	-697	-8%
Total Scope 1 C02e	5,615	5,135	-480	-9%
Total Scope 2 C02e	2,910	2,712	-198	-7%
Total Scope 3 C02e	292	273	-19	-7%

- 4.14 Greenhouse Gas emissions are categorised into three scopes. Scope 1 are direct emissions from onsite fuel combustion and company vehicles. In this case the Scope 1 emissions come from Gas, Oil and biomass boilers used to heat our buildings. Scope 2 emissions are indirect emissions from purchased grid supplied electricity. Scope 3 emissions are other indirect emissions from the wider supply chain. In this case the emissions from Grid bought Electricity transmission and distribution losses, Water supply and water treatment of the waste water we produce.

4.15 Previous iterations of this report have reported emissions as one single figure. It is important to differentiate between the emission scopes and report as such. This is important as:

- Reductions or changes in the conversion factors may give false reductions as it may look like savings have been made when they have not.
- In order to meet the council's Net Zero targets it is the Scope 1 emissions that need to be prioritised for reduction.

4.16 Carbon emissions from the Council's non-domestic buildings and street lighting in 2022/23 were overall 8% lower than in 2021/22. Contributory factors which would have affected the above performance include:

- The reduction in demand for heating highlighted in paragraph 4.8 has caused the majority of the reduction in overall emissions and Scope 1 emissions.
- A reduction in the UK Government carbon conversion factor for electricity has reduced the Scope 2 and Scope 3 emissions associated with electricity despite a nominal increase in consumption.
- A combination of reduced water consumption and a reduction in the carbon conversions factor for water and water treatment have contributed to the reduction in emissions from water use.

5. UTILITY MANAGEMENT

Utility Expenditure

5.1 In 2022/23 the Council's total utility bill amounted to £5,106,702 an increase of £1,410,566 (38.2%) compared to 2021/22 - with buildings constituting the largest element at £4,672,128. Table 5 below gives a breakdown of costs.

Table 5

Utility	21-22	22-23	Difference	%
Heat	£120,070	£141,560	£21,490	18%
Oil	£195,372	£204,952	£9,580	5%
Gas	£688,094	£1,664,088	£975,994	142%
Electricity	£1,816,774	£2,135,121	£318,347	18%
Water	£483,453	£526,407	£42,954	9%
Overall Total - Buildings Only (£)	£3,303,763	£4,672,128	£1,368,365	41.4%
Street Lighting & Unmetered Elec	£392,373	£434,574	£42,201	10.8%
Overall Total (£)	£3,696,136	£5,106,702	£1,410,566	38.2%

5.2 Table 6 shows 2021/22 consumption but costed at 2022/23 rates thus showing the financial saving of the reduction in consumption noted earlier based on stable prices. An overall saving of over £220,000 has been made, the majority of these savings coming from provision of heat.

Table 6

Utility	21-22 kWh with 22-23 Cost	22-23 Actual	Difference
Heat	£170,987	£141,560	-£29,427
Oil	£249,114	£204,952	-£44,162
Gas	£1,812,344	£1,664,088	-£148,256
Electricity	£2,113,742	£2,135,121	£21,379
Water	£544,692	£526,407	-£18,284
Overall Total - Buildings Only (£)	£4,890,879	£4,672,128	-£218,751
Street Lighting & Unmetered Elec	£435,948	£434,574	-£1,374
Overall Total (£)	£5,326,827	£5,106,702	-£220,124

5.3 Cost of Energy

The Scottish Government have a national framework in place with Total Energies Gas & Power for the supply of natural gas, EDF Energy Customers Ltd for electricity and Business Stream Ltd for water. These frameworks have been in place since 2018, 2019 and 2020 respectively, and are used by 98% of Scottish public sector organisations.

5.4 Scottish Procurement (SP) have a Risk Management Committee (RMC) who oversee policy, procedures and the purchasing strategy. Gas and electricity is purchased up to 2.5 years in advance, this has provided a high level of protection by purchasing over a long period of time. SP give the council a fixed wholesale price of gas and electricity for the fiscal year. Therefore the impact of the high cost of energy on the council has been partially mitigated. SP's due diligence means that there are no security of supply concerns for Natural Gas or Electricity. Our suppliers are stable and not exposed to the financial pressures which have seen smaller energy firms collapse.

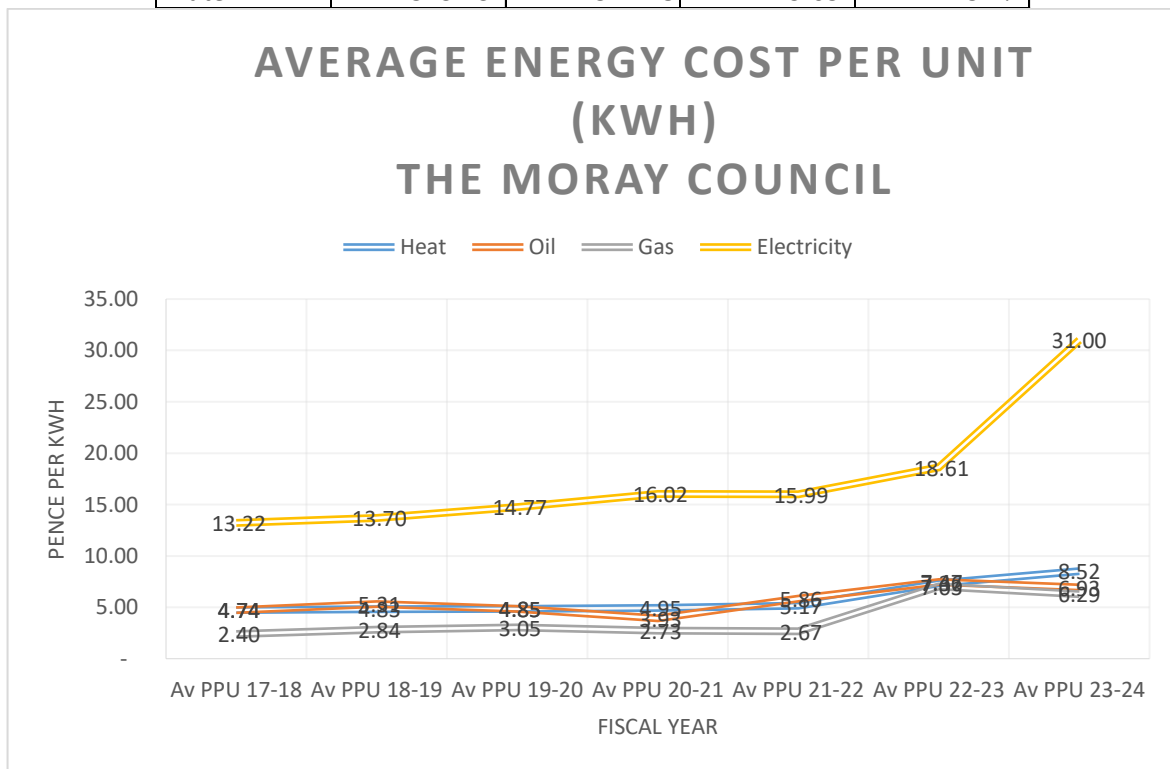
5.5 **The wholesale cost of gas and electricity for Moray Council was fixed for the fiscal year 2023/24 in April 2023. Gas was set at 4.1277p/kWh and Electricity at 16.0169 p/kWh.** This does not include the non-energy charges that are included in the invoices the Council pays. This represents a rise in the price of electricity of 43% and a reduction in the cost of gas by 22%.

Scottish Procurement periodically updates on price forecasts for the electricity and gas contracts. The most recent, Contract notice #56 was released in July 2023. It predicts the cost increase set out below.

	2024-25 Variance to 2023-24	2025-26 Variance to 2024-25
Gas	31%	-22%
Electricity	13%	-7%

5.6 Gas and electricity standing charges vary across the Council’s sites depending on the size and type of the supply. Electricity consumption charges also vary depending on the site and what time of day the electricity is used. Therefore it is not possible to give one simple cost of energy across the entire portfolio. One way to quantify the price is to calculate a pence per unit (PPU) cost. The PPU for this financial year 2023-24 is based on billing up to the end of July. This gives a good idea of the change in energy costs however may change between now and the end of the year as consumption increases over the winter months.

	Av PPU 22-23	Av PPU 23-24	Unit Variance	% Variance
Biomass	7.36	8.52	1.16	13.7%
Oil	7.47	6.93	- 0.54	-7.7%
Gas	7.03	6.29	- 0.74	-11.7%
Electricity	18.61	31.00	12.39	40.0%
Water	513.13	542.18	29.05	5.4%



Future Budget Guidance

5.7 Using the advice from Scottish procurement and the current inflationary rates some guidance on the future budgets required is set out in table 7. These figures have been arrived at using 2022-23 consumption. Gas, costs have been estimated using the calculator provided by Scottish Procurement. Electricity costs have been arrived at using a percentage uplift. Oil, heat and water have been calculated using CPI rates of 8.7% for April 2023, 6.1% as the rate for uplift for 2023-24 to 2024-25 and 2.6%. Based on the Office of Budget Responsibility’s June 2023 forecast, worst case scenario.

Table 7

Utility	23-24	24-25	25-26
Heat	£153,876	£163,262	£167,507
Oil	£222,783	£236,373	£242,518
Gas	£1,161,541	£1,479,649	£1,195,785
Electricity	£3,053,223	£3,450,142	£3,208,632
Water	£572,205	£607,109	£622,894
Overall Total - Buildings Only (£)	£5,163,628	£5,936,535	£5,437,337
Street Lighting & Unmetered Elec	£621,441	£702,228	£653,072
Overall Total (£)	£5,785,069	£6,638,763	£6,090,409

5.8 The figures in Table 7 are estimates based on the available guidance at the time of writing. The actual outturn may vary greatly as consumption changes according to building use, weather conditions and non-energy costs are applied to invoices. The energy markets remain volatile.

Renewable Energy Generation Revenue

5.9 The council currently operates 2 biomass heating systems at Speyside and Milne's High Schools and a solar thermal system at Forres Swimming Pool.

5.10 For the 2022/23 period the Council received combined Renewable Heat Incentive (RHI) payments of £108,294.

Table 8

Total RHI Income	21-22	22-23	Difference	%
Milnes HS	£52,127	£38,752	-£13,375	-26%
Speyside HS	£49,473	£69,542	£20,069	41%
Forres Pool	£912	£0	-£912	-100%
Total RHI Income	£102,512	£108,294	£5,781	6%

5.11 The reduction in payments for Forres Pool relate to a malfunction in the system, then delays in repair due to supply chain issues in getting a replacement pump. The maintenance team are working with the supplier to find a replacement part, so far this has been unsuccessful.

5.12 The reduced and increased RHI payments from installations from Milnes High School and Speyside High School respectively are due to a mixture of energy management savings, weather conditions, and the amount of gas or oil used while maintenance work has taken place.

5.13 The council operates a single site which benefits from the Feed In Tariff (FIT) scheme. This is the Solar PV array on Elgin High School.

Total FIT Income	20-21	21-22	Difference	%
Elgin HS	£1,938	£1,503	-£435	-29%

Invoice Processing

- 5.14 All utility invoices go directly to the Energy Team for verification and validation prior to centralised authorisation and payment. The vast majority of utility invoices are received electronically and uploaded directly onto the Council's monitoring and targeting system – TEAM Sigma. The software automatically performs validation checks on the data received, highlighting any abnormalities for the Energy Team to investigate.
- 5.15 During 2022-23 the active management, checking and validation of utility consumptions and invoices identified over £60,545 of erroneous charges which were resolved by the Energy Team.

POLICY AND STRATEGY

- 6.1 The Scottish Government has produced a heat in buildings strategy, outlining the steps they will take to reduce greenhouse gas emissions from Scotland's buildings. The focus of this strategy is on energy demand for space and water heating. **APPENDIX I** of this report is an update to The Moray Council, Energy Policy and Strategy for Non-Domestic Operational Properties. This is a high level strategy that should be reviewed annually by officers and reported to committee for approval.

ENERGY INITIATIVES

- 7.1 In the year 2022-23 energy and water efficiency projects actioned by the energy team had a total capital cost of £8,707. Annually these projects generate revenue savings of £4,546 and a reduction of 2980kg of CO2e. £6,437 of this was funded from the energy budget. The remaining £2,269.86 was awarded after winning a water saving competition from Business Stream.

7.2

Energy Efficiency Projects 2022-23						
Site / Project	Capital cost	Savings	Unit	Annual £ Savings	Annual Kg CO2e Savings	Funding Source
New Elgin Water taps	£2,270	994.5	Water M3	£864	18	Business stream
HQ Corridor lights	£1,200	3369.6	Electricity kWh	£418	711	Energy
HQ Annexe Car park Lights	£4,782	11497.5	Electricity kWh	£2,727	1353	Energy
Larch court LED	£455	2239.64	Electricity kWh	£538	898	Energy
Cedarwood Day Centre Boiler Replacement	£20,000	30,837	Gas kWh	£2,168	399	Maintenance
		17106.74	Electricity kWh			
		994.5	Water M3			
Totals	£28,707	30837	Gas kWh	£6,714	3379	

Future Energy Initiatives

7.3

Energy Efficiency Projects 2023-24							
Site	Capital cost	Estimated Annual Savings	Unit	Estimated Annual £ Savings	Estimated Annual Kg CO2e Savings	Funding Source	Stage
Cooper Park PC LED Replacment	£1,285.00	1534	Electricity kWh	£429.52	324	Energy	Complete
Hopeman Harbour PC LED Replacement	£893.95	933	Electricity kWh	£261.24	213	Energy	Complete
Rothes PC LED Replacement	£800.00	900	Electricity kWh	£252.00	206	Energy	Scheduled Q3
Moray Resource Centre LED Replacement	£13,300.00	12833	Electricity kWh	£3,593.24	1510	Maintenance	Scheduled Q3
Newmill Primary LED Replacement	£9,939.45	8290	Electricity kWh	£2,321.20	2404	Energy	Scheduled Q3
Buckie Library LED Replacment	£8,822.00	11666	Electricity kWh	£3,266.48	2217	Energy	Planning Q4
Cullen Primary Heating Controls	£700.00	1922	Oil L	£1,562.11	6979	Energy	Complete
Mortlach Primary Heating Controls	£600.00	61599	Gas kWh	£4,373.66	11223	Energy	Complete
Rothiemay PS Heating Controls	£600.00	1509	Oil L	£1,177.35	27396	Energy	Complete
Pinefield Park Boiler Replacment	£5,500	20759	Gas kWh	£1,565.28	3782	Maintenance	Complete
St Thomas Primary School Boiler Replacment	£27,800	43242	Gas kWh	£3,231.56	7878	Maintenance	Scheduled Q3
Anderson Primary Urinal Controls	£1,000	854	W M3	£732.82	85	Energy	Scheduled Q3
Aberlour Primary Urinal Controls	£1,000	854	W M3	£732.82	162	Energy	Scheduled Q3

7.4 Energy Awareness

Throughout the year the energy team have engaged with stakeholders to educate them on issues around energy use, increase awareness and promote good behaviour. This has been done through climate change week events, STEM events and visits to schools. In the year 2022-23 a total 1018 people, including pupils and employees, attended one of our group events and workshops.

7.5 The Non Domestic Energy Efficiency Framework – Project Support Unit (NDEE PSU) run by Mott MacDonald are consultants working on the council’s behalf that is grant funded by the Scottish Government (SG). Working with the PSU, a desk top analysis of our building stock was done and ten buildings were shortlisted for auditing. These audits have identified measures that will deliver energy efficiencies in these buildings with a total value just under £11.4m. These measures are what is required to bring these buildings to a condition that is necessary to achieve net zero carbon emissions.

7.6 The Scottish Government announced £20 million in grant funding which will be available under Scotland’s Public Sector Heat Decarbonisation Fund, delivered through Salix. This is match funding of 80% of the cost of projects. It was announced on 25 October 2023 that the portal for applications will open on a date in November, yet to be decided, then closed in a date in December. For successful applications, grant offer letters will be issued from February 2024 onwards. The application can be up to a maximum £2.5m to be utilised across both the 23/24 and 24/25 financial years. The applications will undergo a quality-based assessment and the highest scoring application will be approved for funding. The time of submission will have no impact on the assessment outcome as long as it’s made while the portal is open. In line with Government policy, the applications should take a whole building approach. The Energy Consumption Action Options and Decarbonisation of Corporate Buildings report approved at this Committee on 7 February 2023 approved a recommendation “to grant delegated authority to the Head of Housing and Property Services to apply for funding opportunities if eligible as set out in para 7.2 of that Report” (para18 refers). At the time of that report the Salix funding was via a loan. However, as

stated above, the funding is now in the form of a grant with 20% match funding required by the Council. The work that officers have been doing with Mott Macdonald's Non Domestic Energy Efficiency Support Unit puts us in a position to make a strong application. The support unit will assist with making the application. The fund is likely to be oversubscribed, therefore there is no guarantee of success. Proposals will be subject to internal governance via the Asset Management Working Group before the grant funding application is made when the portal opens and specific committee approval for capital funding commitment will be made prior to committing to the match funding.

Heat Networks

- 7.7 The ongoing development of the Local Heat and Energy Efficiency Strategy (LHEES), and discussions with partners as part of the delivery of Moray Growth Deal projects, has identified the centre of Elgin as a potential area for a Heat Network Zone. The creation of a heat network in the centre of Elgin is an opportunity to use the Growth Deal as a catalyst to deliver additional benefits for the town centre and act as a learning resource for elsewhere. As the Growth Deal includes buildings which are in close proximity, it is an opportunity to explore the potential to install the infrastructure required. This will allow the buildings to be utilised as anchor loads for a network which could include other buildings such as the Council HQ, UHI Moray campus, Elgin Library, Grant Lodge, businesses, and Dr Grays Hospital. A decarbonised heat network would be an opportunity for public and private buildings to share the cost of moving away from fossil fuel heating. The heat network would be a major innovation to Elgin and the Growth Deal projects would be at the heart of this.
- 7.8 The Scottish Government Heat Network Support Unit (HNSU) can offer 100% of funding for a Feasibility Study. The capital required and financial viability of the heat network will be addressed by the feasibility study. If the project is viable, the HNSU can fund up to 50% of capital costs with the intention to source investment funding for the remaining 50%. In order to attract external investment the project will have to be a large enough scale to make it financially viable. If there is a viable project, the intention would be to create a partnership organisation to drive the project forward and to operate the network. Further update reports will be provided to this Committee, following agreement to progress with the Feasibility Study at the February meeting of this Committee.

8. SUMMARY OF IMPLICATIONS

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

The Energy Policy and Strategy along with actions to minimise the Council's energy use support the aim of the Corporate Plan of a financially stable Council.

The Council's Corporate Plan 2019 – 2024 identifies the environment as a key principle in the delivery of the Council's priorities.

“Environment – look after the world we live in to protect it for the future”

and for Moray Council to be:

“A resource efficient, carbon neutral council that works with partners to mitigate the worst effects of Climate Change, to create a resilient, fair and more sustainable future for everyone within Moray”.

On 10 March 2021 (paragraph 13 of minute refers) the council adopted the Climate Change Strategy, the strategy set a goal of the Council being carbon neutral by 2030. On 6 April 2022 (paragraph 18 of minute refers), the Route Map to Net Zero was approved. This creates a framework for our actions aimed at reducing carbon emissions to net zero by 2030.

(b) Policy and Legal

In October 2021 the Scottish Government published The Heat in Buildings Strategy. This sets a target of achieving net zero greenhouse gas emissions by 2045 with interim targets requiring a 75% reduction by 2030, and 90% by 2040.

(c) Financial Implications

In 2022/23 the Council's total utility bill amounted to £5,106,702 an increase of £1,410,566 (38.2%) compared to 2021/22.

Unit electricity costs have increased by 40% and gas costs have reduced by 11.7% from 2022/23 to 2023/24.

Energy management measures and weather conditions created equivalent savings of over £220,000 in the year 2022/23.

During 2022/23 the active management, checking and validation of utility consumptions and invoices identified over £60,545 of erroneous charges.

(d) Risk Implications

Budget guidance issued in July 2023 by Scottish Procurement indicates that in 2024-25 electricity unit costs are forecast to decrease by 7% and gas unit costs by 22%. However, energy markets remain volatile, there is a significant risk that future prices may change dramatically.

(e) Staffing Implications

The workload associated with transforming the Council's property portfolio to net zero carbon is expected to increase year on year.

(f) Property

The property implications are as set out in this report.

(g) Equalities

There are no equalities implications.

(h) Climate Change and Biodiversity Impacts

Updating the EPS to reflect the Councils goals to achieve net zero and the developing LHEES strategy will assist in setting out strategic cohesion in achieving reductions in climate emissions.

(i) Consultations

The Head of Housing and Property Services, the Chief Financial Officer, the Head of Economic Growth and Development Services, the Property Asset Manager, the Design and Construction Manager, the Principal Climate Change Officer, the Legal Services Manager, the Equal Opportunities Officer and Lindsey Robinson, Committee Services Officer have been consulted and any comments incorporated in this report as appropriate.

9. CONCLUSION

- 9.1 The Council's utility consumptions fell by 7% and utility costs rose by 38% in 2022/23. It should be noted that this decrease can be attributed to energy management measures and warmer than average weather conditions.**
- 9.2 Reductions in energy consumption continue through a programme of energy projects, Energy Management Systems and staff awareness/behaviour changes in the short term as outline within this report. These are necessary to minimise the Council's carbon emissions and energy costs. The energy team continue to progress these actions to reduce consumption and costs.**
- 9.3 The rationalisation of the council's corporate building stock and the way in which we use buildings continues to evolve. The long term energy reduction strategy aligns its goals and actions with this rationalisation, the council's Route Map to Net Zero, and the Scottish Government's Heat in Buildings Strategy.**

Author of Report:	Iain Hight, Energy Officer
Background Papers:	As referred to in this report.
Ref:	SPMAN-1285234812-1415

APPENDIX I

THE MORAY COUNCIL

ENERGY POLICY AND STRATEGY – NON DOMESTIC OPERATIONAL PROPERTIES**Energy Policy – Statement of Commitment**

The use of energy is vital in our operation and the provision of services to our community. The importance of controlling our energy consumption and associated carbon dioxide emissions has never been so high.

The Scottish Government updated the 2018 Climate Change Plan in December 2020. This set out a new ambitious target to end Scotland's contribution to climate change by 2045. Making a commitment to reduce emissions by 75% by 2030 (compared with 1990) and to net zero by 2045. On 10 March 2021 (paragraph 13 of minute refers) the Council adopted a Climate Change Strategy for 2020-2030. The strategy set a goal of the Council being carbon neutral by 2030 and that the Council, its officers and members will work with others across Moray to deliver that goal.

To achieve this the Council will ensure that:-

- Energy management is fully integrated across all relevant decision making to reduce energy consumption, costs and carbon emissions in all buildings it occupies or operates.
- Sufficient resources are in place to meet the objectives of the policy.
- The progress against the objectives of this policy and strategy document is reported to Committee on an annual basis.

The Policy Aims

- I. Manage energy to achieve ongoing improvements through recording, benchmarking, monitoring and reporting on energy consumption and renewable generation associated with the council's non- domestic building stock.**
- II. Minimise energy consumption. Through energy efficiency projects; improving building fabric, replacing lighting and optimising on site renewable generation.**
- III. Reduce direct carbon emissions associated with space and water heat with a target of being as close as practicably possible to net zero by 2030.**

Energy Management

Key to achieving our policy aims is to develop an Energy Strategy setting out how the policy objectives will be met. This strategy applies to all energy use within buildings occupied or operated by the Council. The specific objectives of the strategy are:-

1. To record energy and carbon consumption by using monitoring and targeting processes.
 - Energy consumption in Council buildings is monitored and the information recorded on a suitable database and reported back to the Site Responsible Person.
 - Consumption in buildings is analysed against benchmarks to identify those buildings with the best opportunities for savings.
 - Energy audits will be targeted at inefficient buildings to determine what improvements can be made.
 - Energy invoices will be checked and approved by the Energy Officer for accuracy.
 - Review procedures for processing and checking energy invoices.
 - Ensure that high quality energy consumption data is collated to comply with Carbon Reduction Commitment Energy Efficiency Scheme requirements.

2. To increase awareness of energy efficiency measures.
 - Improve Site Responsible Persons' and Council staffs' awareness of energy issues.
 - Provide training via internal and external advisers/experts to staff directly involved in energy saving activities.

3. Promote and develop new and innovative ways of saving energy/water.
 - Include energy efficiency requirements in design briefs, planning permissions and building warrants, in line with the Routemap to Net Zero.
 - Share information about projects with other organisations in order to spread best practice.
 - Consult an energy specialist when developing new build/refurbishment projects.
 - Implement energy efficiency projects/measures identified from site surveys, data analysis and energy audits.
 - Improve use of Building Energy Management Systems.
 - Monitor compliance with corporate Heating Policy.

4. To reduce water consumption and costs and use water efficiently.
 - Carry out site surveys to identify projects that will improve water efficiency and produce cost savings.
 - Implement water efficiency projects identified from site surveys.

Establishing a Baseline

Previous energy strategy documents have used the year 2011-2012 as a baseline with a target of an across the board 2% reduction of all energy consumption. Using this target will not result in NetZero carbon emissions. It also does not take into account the scope of carbon emissions created from the operation of the council's building stock.

Greenhouse Gas emissions are categorised into three scopes. Scope 1 are direct emissions from onsite fuel combustion and company vehicles. In this case the Scope 1 emissions come from Gas, Oil and biomass boilers used to heat our buildings. Scope 2 emissions are indirect emissions from purchased grid supplied electricity. Scope 3 emissions are other indirect emissions from the wider supply chain. In this case the emissions from Grid bought Electricity transmission and distribution losses, Water supply and water treatment of the waste water we produce. In order to meet the council's Net Zero targets it is the scope 1 direct emissions that need to be prioritised for reduction.

In order to bring into line with the climate change Route Map to Net Zero it is important to establish a common baseline. The baseline year used in the Route Map to Net Zero is the year 2017/18. Therefore Energy policy and targeting should be changed to reflect that. Future reporting should be made against this new baseline.

Route to Net Zero Buildings

The graph below shows a best case scenario trajectory towards Net Zero emissions against the 2017/18 baseline. This involves changing heating systems that produce direct emissions to low and zero emissions heating systems. It should be noted that the linear decline in emissions expressed in the graph would not be expected and that there would be step changes in years where larger building assets are connected to low carbon heat sources towards the end of the decade.



Electrical Energy Efficiency

From a carbon emissions perspective electrical energy efficiency is less important than converting heat provision away from gas and oil systems. Ideally all assets would be made as energy efficient as possible. However, wherever it is possible investing in an asset to generate income or spend to save on revenue costs is a relevant approach. There may be occasions when investing in solar panels and LED lighting on buildings where services are old and its fabric below standard is necessary. Therefore LED lighting replacement and solar PV projects should be carried out as a matter of course where feasible on all assets that will remain operational for a period that will make projects financially beneficial

Fabric First

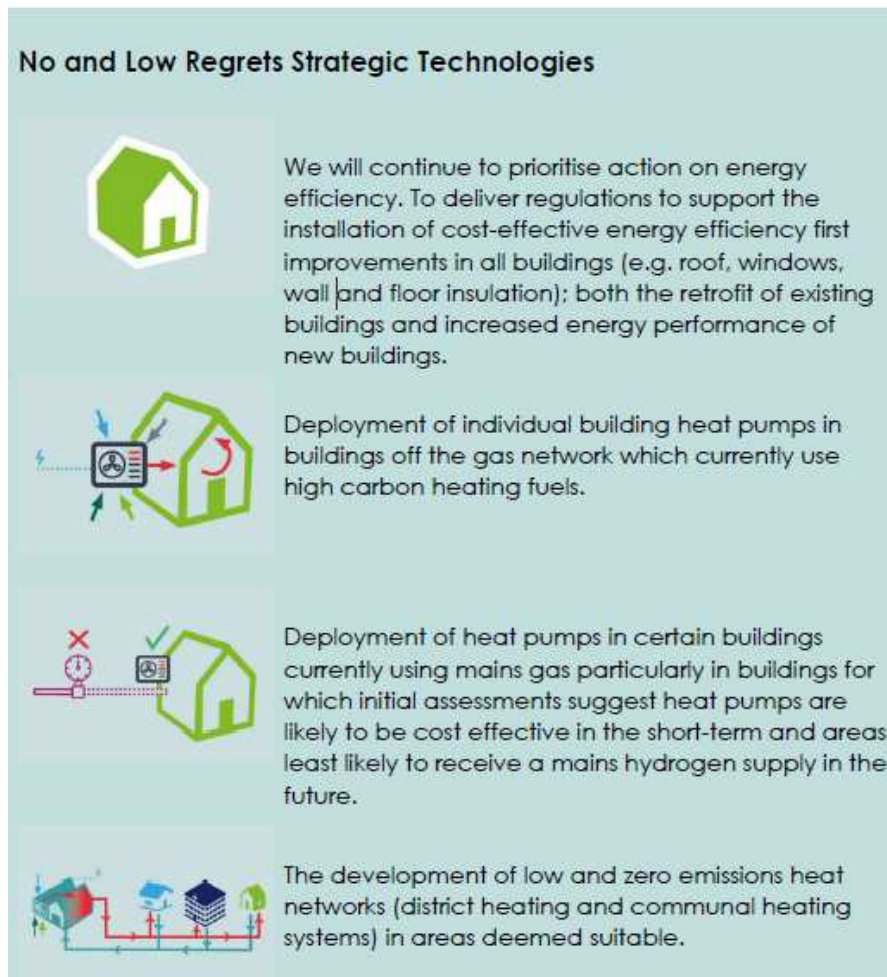
Improving the energy performance of buildings is essential to unlock the rollout of zero emissions heating. Energy efficiency measures alone will not reduce emissions enough to meet our emission reduction targets, but they are a critical precursor to deployment of many zero emissions heating systems. A Fabric First approach should remain at the core of our heat in building policies and programmes, subject to cost benefit analysis.

It should be acknowledged, however, that there may be occasions when the measures needed to improve a building's energy performance to the standard required are not possible. These include, but are not limited to, the method of construction, the cost of measures required, the measures having an unacceptable negative impact on the fabric or structure or the need for 3rd party permission (where this is not forthcoming).

No and Low Regrets Technologies

These are technological solutions where cost uncertainty is low and there is cost certainty of the cost of installation and running. These technologies should also be employed in buildings where they are unlikely to be superseded by more economical solutions before the end of their lifecycles, for example ground source heat pumps in a building that may be able to connect to a heat network in the future.

No and Low Regrets Strategic Technologies



The infographic is titled "No and Low Regrets Strategic Technologies" and is set against a light teal background. It contains four rows, each with an icon on the left and a text block on the right. 1. The first row features a green house icon with a white outline. The text describes prioritizing energy efficiency measures like insulation in all buildings. 2. The second row shows a house icon with a heat pump symbol and arrows indicating energy flow. The text discusses deploying individual heat pumps in buildings not on the gas network. 3. The third row shows a house icon with a gas meter and a red 'X' over a pipe, and a green checkmark over a heat pump icon. The text mentions selective deployment of heat pumps in buildings where initial assessments are favorable and mains hydrogen supply is unlikely. 4. The fourth row shows a network of pipes connecting multiple buildings. The text describes the development of low and zero emissions heat networks like district heating.

- We will continue to prioritise action on energy efficiency. To deliver regulations to support the installation of cost-effective energy efficiency first improvements in all buildings (e.g. roof, windows, wall and floor insulation); both the retrofit of existing buildings and increased energy performance of new buildings.
- Deployment of individual building heat pumps in buildings off the gas network which currently use high carbon heating fuels.
- Deployment of heat pumps in certain buildings currently using mains gas particularly in buildings for which initial assessments suggest heat pumps are likely to be cost effective in the short-term and areas least likely to receive a mains hydrogen supply in the future.
- The development of low and zero emissions heat networks (district heating and communal heating systems) in areas deemed suitable.

Source: Scottish Government Heat in Buildings Strategy

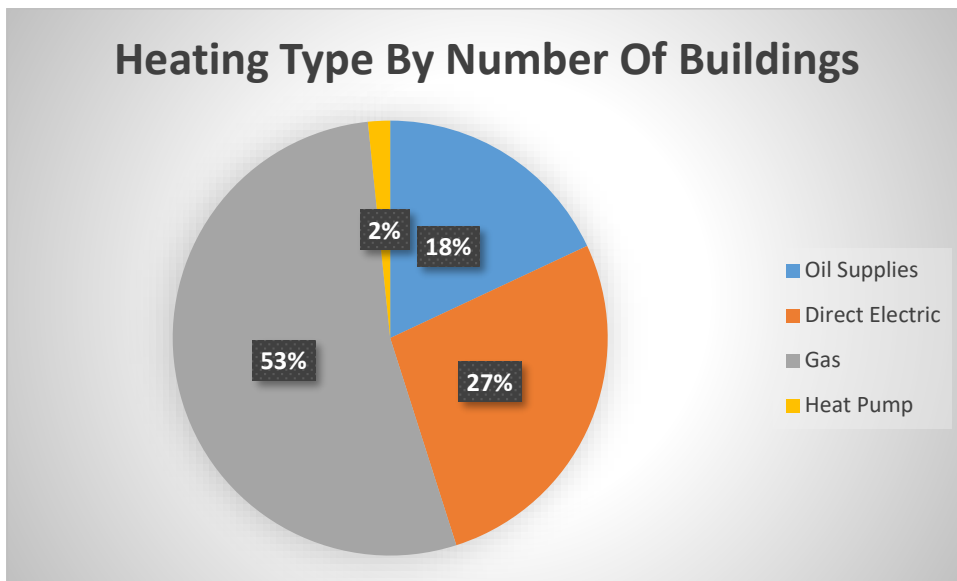
Heat in Buildings

In order to meet the council's net zero target 2030 our non-domestic building stock must significantly reduce its energy consumption, and almost all must be using a

zero emissions heating system. What is meant by this are heating systems such as, individual electric heat pumps and connection to heat networks, or electric systems such as storage heaters, and systems that have very low emissions such as those that use hydrogen.

Bioenergy, for example in the form of biomass, bio-heating oil, bio-propane, where they come from sustainable sources, are included as low emissions systems, but likely to have a more limited role.

The vast majority of our buildings use mains gas as their primary heating fuel. Followed by direct electric and oil.



One kWh of electricity is currently more expensive than one kWh of gas by a factor of about 4-5. The higher efficiency of a heat pump means the amount of energy needed can be less than a third the amount of energy needed by an oil or gas boiler, or direct electric heating to produce an equivalent amount of heat. This means that for some properties, heat pumps can help reduce bills where they are replacing older, more inefficient heating systems, or where they are combined with upgrades to the efficiency of the building's fabric. Increasingly there is also the option to deploy heat pumps alongside other measures such as solar PV or battery storage to help further reduce electricity bills.

However, when a heat pump replaces a modern, efficient gas boiler, the greater efficiency of the heat pump will be insufficient to offset the higher cost of electricity.

For this reason heat pump projects should be prioritised in the off gas grid properties. For properties where direct electric heating is used and savings can be demonstrated. Then properties on gas grid will be considered with a view to moving towards heat pumps or district heating where it is likely to be available once identified through the Local Heat and Energy Efficiency Strategy.

Monitoring and Review

This policy and strategy will be reviewed annually by the Energy Officer and revisions reported to Committee for approval.



REPORT TO: ECONOMIC DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE ON 14 NOVEMBER 2023

SUBJECT: PERFORMANCE REPORT (ENVIRONMENTAL AND COMMERCIAL SERVICES) – PERIOD TO SEPTEMBER 2023

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

1. REASON FOR REPORT

1.1 To inform the Committee of the performance of the service for the period to 30 September 2023.

1.2 This report is submitted to Committee in terms of Section III (A) (4) of the Council's Scheme of Administration to monitor performance in accordance with the Council's Performance Management Framework.

2. RECOMMENDATION

2.1 It is recommended that Committee:

(i) scrutinises performance in the areas of Service Planning, Service Performance and other related data to the end of September 2023;

(ii) notes the actions being taken to improve performance where required.

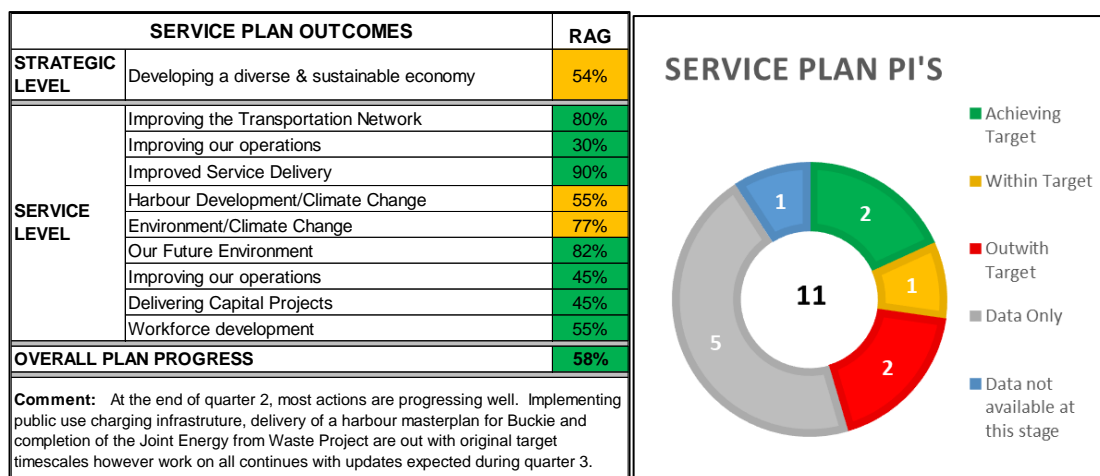
3. BACKGROUND

3.1 On 7 August 2019, the Moray Council approved a revised Performance Management Framework for services (para 5 of the minute refers).

4. SERVICE PLANNING

4.1 Each service plan sets out the strategic and service level priorities and outcomes it intends to deliver in the coming year aligning closely with financial planning, corporate and community planning partnership strategic priorities. This report provides an interim update on progress on the service plan, key outcomes and performance indicators. Committee is invited to review progress to secure assurance that is satisfactory and to provide scrutiny and further direction where performance requires attention.

- 4.2 The narrative included is by exception, links to Service Plan Actions and Performance Indicators can be accessed within the Background Papers section of this report.



Strategic Outcomes – successes

- 4.3 Installation of charging facilities is ongoing at prioritised locations with 58 charging infrastructure points and 88 plug in sockets now available for council vehicles. (Action ECS23-24 Section 4a i)

Strategic Outcomes – challenges and actions to support

- 4.4 To aid delivery of the Charging Infrastructure Strategy, this committee at its meeting on 20 June (item 8 of the Minute refers) approved joining the Pathfinder Project alongside Highland, Aberdeen City and Aberdeenshire Councils. The procurement exercise will identify private operators available to provide public charging points. Although progressing out with original target timescales, tender documents are currently being prepared for issue in the next quarter. (Action ECS23-24 Section 4b)

Service Level Outcomes – successes

- 4.5 Good progress has been made with partners to develop a draft Road Safety Plan that is also on today's agenda. Covering the period to 2030, this plan will be used to support applications to the Scottish Government's Road Safety Improvement Fund. (Action ECS23-24 Section 5a)
- 4.6 The migration to a web-based Asset Management System for Roads Maintenance is complete, removing the need for approx. 9,000 printed orders per year. Customer satisfaction levels will be monitored through the APSE performance network surveys available in 2024. (Action ECS23-24 Section 5c)
- 4.7 The Participatory Budgeting project to deliver cycle parking facilities in Buckie and Keith has progressed well with locations selected by the community in each area. Installation will take place in Buckie in October with the tendering process ongoing in Keith. (Action ECS23-24 Section 5gii)
- 4.8 The Public Service Improvement Framework (PSIF) for Roads Maintenance is complete with an action plan in place and progressing. The long-term impact

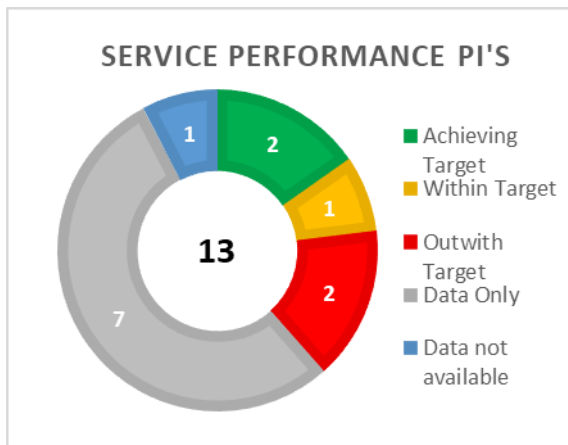
of the improvements made will be gauged via APSE surveys in 2024. With the process complete earlier than anticipated, assessments are now planned this year for Waste and Open Spaces. (Action ECS23-24 Section 5l ii)

Service Level Outcomes – challenges and actions to support

- 4.9 Work to deliver a Buckie Harbour Master Plan is ongoing out with the original due date. A successful application to the Scottish Government's Just Transition Fund, helped secure consultancy support to develop both the plan and a business case for future inward investment. An update is included as a separate report on today's agenda. (Action ECS23-24 Section 5d ii)
- 4.10 Completion of the Joint Energy from Waste project is expected in November with the final Acceptance Certificate. All non-recyclable waste from Moray is now transported to the East Tullos site however contingency plans were needed on 21 August when, following a shut down and inspection, delays led to insufficient capacity. During this time, waste from Moray was diverted to the Dallachy landfill site. All issues have since been resolved with the site operating well. (Action ECS23-24 Section 5e)
- 4.11 Both performance indicators shown as performing out with target relate to annual results, being the latest available data, from a previous period that has already been reported to this Committee. (PIs ECSCON01, ENV6)
- 4.12 Uptake of school meals (both free and paid) has fallen during quarter 2. Although P6/7 uptake at 34.8% remains above target (30%), several issues are thought to have contributed to the decline including recent strike action, increasing popularity for packed lunch offer and a low uptake with P6 pupils moving from universal free meals to paid meals. Menu choices have been refined and unpopular dishes removed and management have continued to promote the service through attendance at inductions and parents' evenings. (Action ECS23-24 Section 5j, PIs ECSEPBC02 and ECSEPBC02a)

5 SERVICE PERFORMANCE

- 5.1 In line with Performance Management Framework, operational performance is monitored quarterly by departmental management. Areas performing well and/or areas subject to a decreasing trend or where benchmarking results show performance below comparators will be reported to this Committee for member scrutiny.
- 5.2 Following approval of the Service Plan by Committee, a review of performance indicators has been undertaken and amendments made to align indicators with service outcomes.
- 5.3 The narrative included is by exception, links to Service Performance Indicators can be accessed within the Background Papers section of this report.



Operational Indicators – successes

- 5.4 Average occupancy of paid car parks in Elgin improved during quarter 2 with 57% of all available spaces occupied during the latest survey against a target of 50%. (PIs ECSTCP01)

Operational Indicators – challenges and actions to support

- 5.5 The latest data for the quarter ended June showed the unit cost per vehicle and planned maintenance at £235 had fallen but remained above target (£205). As vacancies within the team are filled, there will be less subcontracting required and the unit cost should continue to decrease. (PI ECSRMF02)
- 5.6 The enhanced m.connect service was launched as planned in early May. This significant expansion has, as expected, affected costs however improvement is noted between quarters 1 and 2 with net unit cost per passenger falling from £9.12 to £8.33 against a target of £5.20. Costs will continue to be monitored as the new service is established. (PI ECSTPT01)

6 OTHER PERFORMANCE RELATED DATA

Complaints & MP/MSP Enquiries

- 6.1 In line with the Performance Management Framework, complaints are reviewed quarterly by departmental management in terms of time taken to respond, outcome and learning points. Detailed tables can be accessed within the Background Papers section of this report.
- 6.2 During the reporting period, Environmental and Commercial Services received a total of 133 complaints. In the same period, 129 complaints were closed, 122 (95%) as Frontline and 7 (5%) as Investigative. 113 Frontline complaints (93%) and 6 Investigative complaints (90%) met target timescales of 5 and 20 working days respectively.
- 6.3 Overall, 56 complaints were upheld and 4 partially upheld. 28 (47%) involved Household Collections with the most common concern around delays experienced for new and replacement bins. To help address this, timeframes provided to members of the public have been revised and the Waste Team are working to improve the communication methods used for when stock is overdue.

- 6.4 In addition to complaints, 102 MP/MSP enquiries were received during the first half of 2023/24 with 22 relating to Road Safety/Speeding concerns in various areas of Moray.

Other Performance (not included in the Service Plan)

- 6.5 Nothing to report.

Case Studies

- 6.6 As part of the Cycling UK Bothy programme, the Moray Bothy, now in its second year, aims to bring communities together and help get people active. Staff in Moray have led rides for Elgin Youth Café, locally based Asylum Seekers and individuals through Spinal Injuries Scotland, helping those involved familiarise themselves with local routes and gain skills and confidence. Families have also been able to try different cycles to see what best fits their needs, with one family purchasing a Tern bike through the Energy Savings Trust loan scheme that they now use for everyday journeys instead of their car.
- 6.7 In September, the m.connect service was shortlisted for the Scottish Council for Development and Industry (SCDI) Highlands & Islands annual awards and celebrated as a runner up in the category 'Excellence in Innovation'. This was a welcome achievement considering the early stages of project implementation.

Consultation and Engagement

- 6.8 To help shape the next phase of the m.connect service and ensure the aims of the project are met, an online survey was shared with the public in September. Responses are now being analysed with outcomes and recommendations expected by the end of the year.

7 SUMMARY OF IMPLICATIONS

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

Performance measurement is used to ensure the efficient and sustainable delivery of services to meet the Council's priorities in both the Corporate Plan and the LOIP.

(b) Policy and Legal

The Council has a statutory requirement to publish a range of information that will demonstrate that it is securing best value and assist in comparing performance both over time and between authorities where appropriate.

(c) Financial implications

None.

(d) Risk Implications

None.

(e) Staffing Implications

None.

(f) Property

None.

(g) Equalities/Socio Economic Impact

An Integrated Impact Assessment is not needed because the report is to inform the Committee on performance.

(h) Climate Change and Biodiversity Impacts

None

(i) Consultations

Depute Chief Executive (Economy, Environment and Finance), The Head of Environmental and Commercial Services, Service Managers, Legal Services Manager, the Equal Opportunities Officer and Lissa Rowan, Committee Services Officer have been consulted, with any comments received incorporated into this report.

8. CONCLUSIONS

8.1 At the end of September 2023, the Environmental and Commercial Services Service Plan is 58% complete. Three actions are progressing out with original target timescales.

Author of Report: Suzanne Wilson, Research and Information Officer

Background Papers: [Service Plan Actions](#)
[Service Plan Performance Indicators](#)
[Service Performance Indicators](#)
[Complaints Monitoring Report](#)

Ref: SPMAN-524642768-983



REPORT TO: ECONOMIC DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE ON 14 NOVEMBER 2023

SUBJECT: PERFORMANCE REPORT (ECONOMIC GROWTH AND DEVELOPMENT SERVICES) – PERIOD TO SEPTEMBER 2023

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

1. REASON FOR REPORT

- 1.1 To inform the Committee of the performance of the service for the period to 30 September 2023.
- 1.2 This report is submitted to Council in terms of Section III (A) (4) of the Council's Scheme of Administration to monitor performance of the services within the Committee's remit in accordance with the Council's performance management framework.

2. RECOMMENDATION

2.1 It is recommended that Committee:

- (i) scrutinises performance in the areas of Service Planning, Service Performance and other related data to the end of September 2023;**
- (ii) notes the actions being taken to improve performance where required.**

3. BACKGROUND

- 3.1 On 7 August 2019, the Moray Council, approved a revised Performance Management Framework for services (para 5 of the minute refers).

4. SERVICE PLANNING

- 4.1 Each service plan sets out the planned strategic and service level priorities and outcomes it intends to deliver in the coming year aligning closely with financial planning, corporate and community planning partnership strategic priorities. This report provides an interim update on progress on the service plan, key outcomes and performance indicators. The Committee is invited to

review progress to secure assurance that it is satisfactory and to provide scrutiny and further direction where performance requires attention.

4.2 The narrative included is by exception, links to Service Plan Actions and Performance Indicators can be accessed within the Backing Papers of this report.

4.3 Local Government Benchmarking Framework indicators are used to measure Service Plan performance, latest results are due for publication in November and will therefore be incorporated within quarter 4 reporting.

SERVICE PLAN PRIORITIES		RAG
STRATEGIC LEVEL	Moray Growth Deal: Development and delivery of Housing Mix Delivery Project	90%
	Moray Growth Deal: Cultural Quarter Project	25%
	Climate Change and Biodiversity Route Map	56%
SERVICE LEVEL	Identify route for training local Environmental Health Officers and associated budget needs	13%
	Maximise external funding for Council priorities including Town Centre Improvement works and employability.	60%
	Town Centre Improvement Delivery Plan and LDP 2027.	25%
	External funding achieved for delivery of strategic plans associated with Town	50%
	Service identifies and secures future needs for succession planning	50%
	Service improves the ERDP experience and holds accurate records, including CPD.	50%
	OVERALL PLAN PROGRESS	50%

SERVICE PLAN PI'S

The donut chart displays the performance of 14 Service Plan Indicators (PI's). The chart is divided into segments representing different performance categories: Above Target (green), Within Target (yellow), Below Target (red), Data Only (grey), and Data not available (blue). The central number '14' indicates the total number of indicators, and the outer ring shows '0' above and '14' below, suggesting all indicators are within target.

- Above Target: 0
- Within Target: 14
- Below Target: 0
- Data Only: 0
- Data not available: 0

Strategic Outcomes - successes

4.4 The Full Business Case for the Housing Delivery Mix was approved by Moray Growth Deal Board and is now progressing through Scottish Government policy teams. This will enable further affordable homes to be built across Moray. Phase 1 of the Dallas Dhu Masterplan is progressing and a planning application is expected to be submitted early 2024 for 24 affordable homes and 10 self build innovation plots. Design work and land assembly at South Street, Elgin is progressing and legal agreements signed between partners. A draft Masterplan is progressing for a site in Dufftown. This will provide residents and people looking to move to the area an assurity in transition to net zero with the associated positive impacts on health and wellbeing. Members briefings have been arranged for MGD projects and the full business cases will be coming to Council for approval. (**ACTION:** EGD23-24-4.1a)

4.5 Walking tours of the Cultural Quarter in Elgin, part of the Moray Open Doors weekend in September, were all fully booked. Visitors were able to find out about the proposed regeneration of Grant Lodge in Elgin and the upgrade and refurbishment of the Town Hall over the next 8 years. Procurement is

underway for an innovative architect-led design team and they are expected to be appointed by the end of November, paving the way for a connected, vibrant cultural centre. (**ACTION:** EGD23-4.1b)

- 4.6 Each action in Moray Council's Route Map to Net Zero has three measures - schedule, budget and objectives and 87% of these RAG indicators are on target. All three measures are on track against the roll-out of the Climate Change and Home Energy eLearning modules on the "learnPro" system and completion of the LHEES strategy beyond Phase 1, (tems 4.9 and 7.1 of the Climate Change Strategy Actions refers). (**ACTION** EGD23-4.2, **INDICATOR:** RMNZ-EGD1)
- 4.7 Some 28 staff and six elected members have undertaken training and are certified as Carbon Literate with excellent feedback received. There are challenges to recruit participants and no capacity to run a course for all staff at present, but focus is now is on delivering training to a further 31 staff and four elected members (**ACTION:** EGD24-4.2j).

Strategic Outcomes – challenges and actions to support

- 4.8 Energy usage has increased over the past three years starting with additional ventilation measures in schools during Covid and continuing in the present with staff returning to offices. The energy team is creating an action plan and revised energy strategy although smarter working and co-location of partner services will offset this carbon footprint to some degree (**ACTION:** EGD24-4.2b)

Service Level Outcomes – successes

- 4.9 Work is almost complete on Moray's Coast to Country project. This initiative, made possible by the £360k Rural Tourism Infrastructure Fund, includes upgrade of motorhome facilities, toilet blocks and EV chargers across Moray. This will make Moray a more attractive location for 'staycations' and retain wealth generated by tourists. (**ACTION:** EGD24-5.2)
- 4.10 After the success in 2022/23 of securing £270k Regeneration Capital Grant Fund (RCGF) for the Lossie 2-3 Group, planning for renovation of the old Warehouse Theatre has been approved. This will provide a one-stop community shop with affordable childcare, addiction counselling, debt advice, employability advice, IT training and literacy training. Outcome of the 2023/24 application which has been delayed by the large number of applications made to the RCGF. (**ACTION:** EGD24-5.2)
- 4.11 The £668k Place Based Investment Fund has been drawn down and contributing to Stage 1 works at Lossiemouth Community Hub and development work at Buckie Harbour with the nearby brownfield site having been identified for potential solar PVs supplying low-carbon energy to the harbour. (**ACTION:** EGD24-5.2)

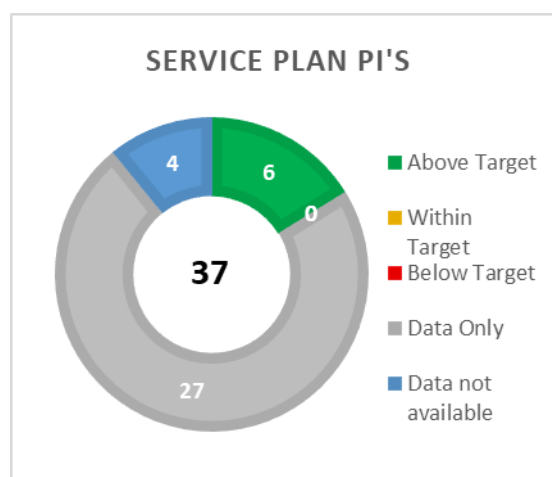
Service Level Outcomes – challenges and actions to support

4.12 With no funding available for two Environmental Health Officer posts, the service was able to convert one vacant EHO post to a trainee EHO, who has now been appointed. It takes four years to train an EHO, therefore there is a risk to delivery of Environmental Health and Trading Standards services within the next five years due to insufficient staffing levels and shortages nationally that can only be mitigated by training our own Environmental Health and Trading Standards Officer. The situation is subject to continued monitoring and is replicated nationally. (**ACTION:** EGD24-5.1, **INDICATOR:** ENV518.)

5. **SERVICE PERFORMANCE**

5.1 In line with the Performance Management Framework, operational performance is reviewed quarterly by departmental management. Areas performing well and/or areas subject to a decreasing trend or where benchmarking results show performance significantly below comparators will be reported to this committee for member scrutiny.

5.2 The narrative included in this report is by exception, links to Service Performance Indicators can be accessed within the Background Papers at the end of this report.



Operational Indicators - successes

5.3 The percentage of building warrants issued within timescales continues to exceed target year on year, as does the number of days taken to respond to amended plans. (**INDICATORS:** ENV518-B, ENV518-C)

5.4 There are currently 1,133 registered food premises in Moray. In the quarter ended September, over 80% of the planned food safety inspections were carried out. (**INDICATORS:** ENV518ab, ENV518c, ENV518d, ENV518e)

Operational Indicators - challenges and actions to support

5.5 The number of new businesses start-ups through the Business Gateway is down when compared to the first half of last year, from 75 to 47. National challenges of rising costs, inflation and supply issues coupled with the cost of living crisis are all contributory factors. However the types of business start-ups are similar, from services such as cleaning and heating engineers to those dealing in holiday lets and beauty products, all helping to create more

opportunities in a vibrant economy in Moray. Enquiries to the Business Gateway have remained fairly constant with advice mainly given face-to-face now that the walk-in office in Elgin High Street is fully operational. Six firms registered for the 10-week free Moray Business Growth Programme introduced in September, which is designed for micro and small businesses needing advice and support from local experienced mentors, and two more programmes are planned for the next financial year. (INDICATOR: ENVDV266)

- 5.6 Planning data has to be verified by the Scottish Government meaning it is generally six months arrears and information for quarters 1 and 2 is expected to be available early in 2024. (INDICATORS: ENVDVD262-3, SDS2ai-iii, SDS2b)

6. OTHER PERFORMANCE RELATED DATA

6.1 Complaints & MP/MSP Enquiries

- 6.2 In line with the Performance Management Framework, complaints are reviewed quarterly by departmental management in terms of time taken to respond, outcome and learning points. Links to complaints tables can be accessed within the Backing Papers of this report.

- 6.3 A total of 19 complaints were closed in the half year to September 2023 of which 9 (47%) were frontline stage and 10 (57%) were investigative stage. Two complaints were upheld. As a comparison, in the same period last year, 13 complaints were closed.

- 6.4 In addition to complaints, a total of 44 MSP/MP enquiries were received in the last two quarters out of 291 to the Council as a whole, 39 of which were resolved. Common issues were planning disputes, gulls and anti-social behaviour.

Other Performance (not included within Service Plan)

- 6.5 Nothing to report.

Case Studies

- 6.6 Nothing to report

Consultation and Engagement

- 6.7 Nothing to report

7. SUMMARY OF IMPLICATIONS

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

Performance measurement is used to ensure the efficient and sustainable delivery of services to meet the Council's priorities in both the Corporate Plan and the LOIP.

(b) Policy and Legal

The Council has a statutory requirement to publish a range of information that will demonstrate that it is securing best value and assist in comparing performance both over time and between authorities where appropriate.

(c) Financial implications

None.

(d) Risk Implications

The lack of budget availability to provide Trainee posts in Environmental Health and Trading Standards combined with the anticipated replacement demand over the next five years and the national shortage of officers in these professions means there is a risk that the Council will be unable to meet statutory duties in future years.

(e) Staffing Implications

None.

(f) Property

None.

(g) Equalities/Socio Economic Impact

An Equality Impact Assessment is not required as this report is to inform the Committee on performance.

(h) Consultations

The Head of Economic Growth & Development Services, Depute Chief Executive (Economy, Environment & Finance) and Service Managers, have been consulted with any comments received incorporated into this report.

8. CONCLUSION

- 8.1** As at 30 September 2023 the plan overall is 50% complete, three actions or subactions having been completed.

Author of Report: Christopher Dewhurst, Research & Information Officer
Background Papers: [Service Plan Actions](#)
[Service Plan Performance Indicators](#)
[Service Performance Indicators](#)
[Service Complaints](#)

Ref: