

# MORAY COUNCIL

## 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 Divers advised that he was of the opinion that the only thing to have come out of the stakeholder meeting was an increase in parking charges and this was not the reason behind these meetings. He was of the opinion that the stakeholder meeting was called to allow all parties to look at the issues of illegal parking in central Elgin and what could be done to resolve them. He further advised that if the proposals in the report were taken forward as written the problems would not be addressed and in his opinion the on street parking would increase.

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.