



REPORT TO: ECONOMIC DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE ON 30 APRIL 2024

SUBJECT: ENVIRONMENTAL PROTECTION REVENUE AND CAPITAL BUDGET 2024/25

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

1. REASON FOR REPORT

- 1.1 To inform the Committee of the plans to deliver the capital and revenue programme in Environmental Protection in 2024/25.
- 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 provision, development and monitoring of the Council's Economic Development and Infrastructure Services.

2. RECOMMENDATION

2.1 It is recommended that Committee:

- (i) approve the plans to deliver the capital programme for 2024/25 as contained in this report;**
- (ii) grant delegated authority to the Service Manager (Open Space, Waste Management, Catering & Facilities) to proceed with necessary maintenance works and prioritise the works in accordance with any budgetary restrictions;**
- (iii) approve the proposed use of the cemetery capital funds for increased cemetery provision in Moray as set out in section 5 of the report; and**
- (iv) delegate authority to the Head of Environmental and Commercial Services to apply for grants in support of the areas of work identified in sections 4 and 5.**

3. BACKGROUND

- 3.1 The Environmental Protection team delivers the council services and duties in relation to waste and recycling, open spaces, school catering and facilities management.

3.2 The revenue budgets fund the business as usual activities for the different service areas. This includes:

- Waste and recycling collections.
- Provision of Household Waste and Recycling Centres.
- Littering picking and litterbin emptying.
- Street sweeping.
- Maintenance of the Councils Parks and Open Spaces.
- Highway verge grass cutting.
- Cemetery provision and management, including a burial service.
- Preparation and provision of schools meals across the Councils school estate.
- Building cleaning and Janitorial service across the Councils assets.

3.3 This report sets out plans how the respective teams within Environmental Protection will deliver the services and duties in line with the approved capital budgets for the financial year 2024/25.

4. WASTE AND RECYCLING

4.1 The proposed capital plan for waste and recycling services in 2024/25 is shown below.

Capital Project	Cost
Upgrade Recycling Centres	£255,000
Domestic & Trade Waste Bins	£105,000
Replacement of containers at recycling centres	£30,000
Gull Proof Bins	£11,000

Upgrade Recycling Centres

4.2 These funds were initially allocated for works identified to improve the Council's Household Waste and Recycling Sites at Gollachy, and then later Forres. The works identified at that time were paused, due to potential saving proposals and the on-going depot review. The funds have therefore not been used to avoid abortive spending.

4.3 Legislative requirements regarding the separation of Waste Upholstered Domestic Seating (WUDS) containing Persistent Organic Pollutants (POPs) came into force at the end 2023. Items that fall into the classification of WUDS containing POPs include such things as sofas or chairs. SEPA have issued guidance which includes the requirement for Councils make reasonable efforts to avoid, where feasible, contamination of POPs and Non POPs waste.

4.4 There is still a lot of uncertainty across the local authority network with regards WUDS and compliance. On-going meetings are taking place with COSLA, SEPA, Scottish Government and across the waste manager's network. The majority of local authorities at present are not fully compliant, in terms of complete separation of containing POPs and Non POPs.

- 4.5 The Council has already made steps towards compliance with regards its bulky waste collection and at the HWRC sites.
- 4.6 Further investigatory work is currently being undertaken and it is intended that this capital fund will be used to support the infrastructure and measures needed to transition to POPs compliance across the HWRC sites, including Moycroft. It should be noted that disposal of WUDs containing POPs to an Energy from Waste facility is one of the approved disposal methods. Therefore any compliance issues relate to the collection, storage and treatment prior to destruction.

Domestic & Trade Waste Bins

- 4.7 This fund is used to procure bins for both household and commercial premises. Bins are provided either on the basis of the need for a replacement (damaged or lost), provision for a new build property or for the uptake of Council garden and trade waste service. Over the last 4 years there has been on average around 480 new homes built each year in Moray.
- 4.8 Developers are recharged for the provision of bins to new build properties. In addition, where bins are provided to commercial customers, or for the garden waste collection scheme, the Council receives an income. It should therefore be noted that some of the capital expenditure cost will be offset by the income allocated to the revenue budgets.

Replacement of containers at recycling centres

- 4.9 The Council has a statutory responsibility to provide Household Waste and Recycling Centres (HWRCs). The Council currently provides 5 HWRCs. In addition, the Council provides 22 mini recycling centres located in strategic locations throughout Moray.
- 4.10 These sites contain skips of varying different types. These skips receive significant usage, and as a result the general wear and tear can render a skip unsafe to use. The capital funds for this project are used to fund replacement, or refurbishment to existing skips, to ensure the Council has adequate provision of skips for the public to dispose of their waste.

Gull proof bins

- 4.11 The funds for this capital project are used to purchase gull proof litterbins. At the meeting of Moray Council dated 19 January 2022, Members approved the purchasing and provision of gull proof litterbins for strategic locations across Moray over a three year roll out programme (para 19 of the Minute refers) (link at the end of the report). 2024/25 is the last year within the three year roll out programme.
- 4.12 The cost of gull proof litterbins has increased since the initial allocation of the budget in 2022/23. The result is that the locations identified in the initial plan will not receive the full allocation of gull proof litter bins in line with the three year roll out programme. Reducing the number will ensure that all sites still receive some provision. The apertures on the gull proof bins are covered so restricting the gulls' access to the bin.

Slippage

4.13 The overall capital allocation for waste and recycling for 2024/25 is £401,000. A recurring element of capital spend, which is demand driven, is on replacement containers for Household Waste Recycling Centres and for new and replacement wheeled bins. A further £225,000 is included for the upgrade of recycling facilities, though the actual cost is not yet known. A slippage factor of £63,000 is proposed across the capital projects giving a working capital budget of £338,000.

4.14 Carry forwards: Waste

Some capital funding allocated for 2023/24, such as for the Dallachy and NESS projects, will be recommended for carry forward to the 2024/25 capital programme. This will be reported to council in June 2024 once the exact amount of proposed the carry forward is known.

5. OPEN SPACES

5.1 The proposed capital plan for Open Spaces in 2024/25 is shown below.

Capital Project	Cost
Cemetery Provision in Moray	£50,000
Cemetery Provision in Elgin	£630,000
Parks and Open Spaces Infrastructure	£100,000
Children's Play Areas (Parkland)	£282,000

Cemetery Provision in Moray

5.2 The Council currently has 63 cemeteries which it is responsible for managing and maintaining. The capital allocation is used to maintain infrastructure and address health and safety issues within the cemeteries. As far as is currently practicable, the works are logged in one year and undertaken on a planned basis the following year, though reactive works are carried out where urgent issues emerge.

5.3 The maintenance works identified for 2024/25 are:

Cemetery	Works being undertaken
Broomhill Cemetery	Drainage & pothole repairs
Birnie Cemetery	Wall Repair
Buckie Cemetery	Pothole repairs
Buckie New Cemetery	Land drainage
Duffus Cemetery	Drainage
Kinloss Abbey	Repairs to collapsed boundary fence / vegetation management
Lossiemouth Cemetery	Repair entrance surface

- 5.4 Costs for the works are currently being sought. Once the costs have been established, the works will be scheduled in order of priority, with the most urgent remedial works being carried out first. It should be noted that the above programme of works is subject to change, or slippage into future years, in line with budgetary restrictions or emerging issues.
- 5.5 The works have been identified through public reports or by the Open Spaces Teams. Further detail on drainage, and other material condition of cemeteries, will be included in a future report to ED&I as referenced in 5.10.

Cemetery Provision in Elgin

- 5.6 On 4 December 2018, this Committee approved the Moray Council Cemetery Strategy which provides the strategic framework for the provision of cemeteries in future years. Identified within the strategy is the pressing need to create a new cemetery within Elgin, now by 2026, as well as new cemetery provision in Lossiemouth and Keith, in future years.
- 5.7 Land on Linkwood Road has been identified for the new cemetery in Elgin and the project is progressing. A planning application has been submitted and negotiations are continuing with regards the acquisition of the site. The allocation of £630,000 in 2024/25 will add to the already committed funds, giving a total of £2.8 million capital funds to progress new cemetery provision within Moray over the next 10 years.
- 5.8 Following the approval of the cemetery strategy, and in accordance with the most up to date information at that time, costs of £2.8 million were identified within the 10 year capital plan for the provision of additional cemetery sites across the three strategic areas. At the meeting of ED&I on 4 December 2018 the Financial Implications (section C) indicated that the capital funds allocated were only high level indicative costs, at that time (para 6 of the minute refers and link to the report is available at 'background papers at the end of his report).
- 5.9 Since 2018, construction costs have escalated and the timescales for needing a new cemetery at Lossiemouth and Keith have extended past the initial 2018 projections. A new site in Elgin is the priority, with this site having limited life expectancy of around 3 years. It is therefore the proposal that once the full costs of providing a new site at Elgin are fully understood, should the costs be more than the initial £1.8 million, the funds allocated for sites at Lossiemouth and Keith, which are available through the delayed expansion in these areas, will be used as a contingency to support the progression of the new Elgin cemetery. This should ensure that costs remain within the current affordability thresholds detailed in the current ten year capital plan.
- 5.10 Presently Lossiemouth and Keith have an estimated life expectancy of around 11 years. The intention is to reprofile the capital expenditure needed for new sites at Lossiemouth and Keith and incorporate these into future years within the 10 year capital plan from 2025/26 onwards. A further report will also be presented to ED&I later in the year detailing a review of the out of area exemption policy and infrastructure condition of cemeteries.

Parks and Open Spaces Infrastructure

- 5.11 The Council provides parks and open spaces across Moray. These sites incur a significant amount of use. A capital allocation is needed to ensure any emerging infrastructure issues, which present a health and safety concern, can be addressed. The funds are used to undertake both planned and emergency works.
- 5.12 The works currently identified for 2024/25 are shown in the table below.

Parks and Open Space	Works being undertaken
Across relevant sites	Repairs to kick about play goals
Cooper Park, Elgin	Pond edging/coping repairs
Cooper Park, Elgin	Road drainage
Cuthill Park, Keith	Surfacing repairs at car park
Linzee Gordon Park, Buckie	Surfacing works at entrance
Lossiemouth Playing Field, Elgin	Repairs to path/step to play area

- 5.13 Costs for the works are currently being sought. Once the costs have been established, the works will be scheduled in order of priority, with the most urgent remedial works being carried out first. It should be noted that the above programme of works is subject to change, or slippage into future years, in line with budgetary restrictions or emerging issues.
- 5.14 The works have been identified through public reports or by the Open Spaces Teams.

Children's Play Area (Parkland)

- 5.15 The Council currently receives funding from Scottish Government through the Renewal of Play Parks fund for the improvement/refurbishment to its play areas. The five year funding stream will finish at the end of 2025/26.
- 5.16 Prior to this funding stream the Council would approve capital funds on a yearly basis for the improvement to play areas, principally for two parks/play areas per year plus a contingency amount to address emerging urgent issues. Once current grant funding has finished, the Council will once again need to self-fund any improvements. At this point, a decision will need to be taken to determine the scope of future improvements based on priority and affordability.
- 5.17 Sites are chosen on an annual basis for upgrading. The sites are selected following an annual independent condition survey to ensure the funds are allocated on a priority basis.

- 5.18 The play areas selected for upgrading/refurbishment for 2024/25 are shown below.

Play Area	Works being undertaken
Letterfourie, Buckie*	Upgrading play equipment for ages 0 -12
Miscellaneous repairs, including surfacing	As prioritised from the independent annual inspection and routine monthly inspections
Hopeman Playing Field, Hopeman	Play equipment renewal – subject to participatory budgeting
Randolph Lane, Forres	Play equipment renewal – subject to participatory budgeting
Tomnavoulin, Speyside*	Upgrading play equipment for ages 2 -5

*see carry forward below

Slippage

- 5.19 The overall capital allocation for Open Spaces for 2024/25 is £1,062,000 and includes £630,000 expenditure on a replacement cemetery in Elgin. It also includes play park refurbishment which will be funded from Scottish Government grant. A slippage factor of £168,000 is proposed giving a working capital budget of £894,000.

Carry forwards: Open Spaces

- 5.20 Some capital funding allocated from 2023/24* will be recommended for carry forward to the 2024/25 capital programme. This will be reported to council in June 2024 once the exact detail of the carry forward is known.

6. FACILITIES MANAGEMENT

- 6.1 The facilities management section covers the Janitorial, Building Cleaning, Caretaker and facilities functions across the Councils entire building estate. The section has a capital allocation of £15,000 per year. These funds are used to purchase tools and equipment for the services, such as cleaning equipment. The funds are used on an emerging basis rather than a cyclical and planned replacement programme.

Slippage

- 6.2 The overall capital allocation for Facilities Management for 2024/25 is £15,000 Replacing equipment is demand driven and so a slippage factor of £2350 is proposed giving a working capital budget of £12,645.

7. SUMMARY OF IMPLICATIONS

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

Carrying out the planned functions of the Environmental Protection team as set out in this report, enables the fulfilment of statutory duties and contributes towards the council priority to build thriving, resilient, empowered communities.

(b) Policy and Legal

In its capacity as a Burial Authority, under the Burial and Cremation (Scotland) Act 2016, the Council has a statutory duty for the provision of burial grounds within Moray. This responsibility extends to ensuring sites are safe for people to use.

Under Section 1 of the Refuse Disposal (Amenity) Act 1978, the council has a statutory duty to provide facilities at which residents of the area may deposit their household waste for disposal. This responsibility extends to ensuring sites are safe for people to use.

(c) Financial implications

This report sets out the plans to deliver the capital budget allocation to Environmental Protection for 2024/25. The capital funds shown in the tables within the report are net of any slippage. Narrative regarding the proposed slippage is contained within the report. The total funds net of slippage are shown in the table below.

Work Area	Capital net of slippage for 2024/25
Waste and Recycling	£338,000
Open Space	£894,000
Facilities Management	£12,645
Total	£1,244,645

Whilst no specific narrative is provided for the revenue budgets, these budgets support the delivery of the 'business as usual' activities as shown in section 3.2.

(d) Risk Implications

The risks associated with not approving the proposed capital projects is that external funding streams are not utilised, increased health and safety issues across Council assets and burial capacity in the Elgin area could be compromised within a few years.

(e) Staffing Implications

There are no staffing implications associated with the recommendations in this report as work has been planned in line with budget provision.

(f) Property

Negotiations are well advanced for the purchase of land at Linkwood Road to facilitate a new cemetery in Elgin.

(g) Equalities/Socio Economic Impact

There are no implications associated with the recommendations

(h) Climate Change and Biodiversity Impacts

There are no climate change implications as a result of this report. Efforts are made to be mindful of the carbon and biodiversity implications and where possible products are sourced as local as possible, and where practicable, are made from recycled materials.

(i) Consultations

The Depute Chief Executive (Economy, Environment and Finance), Head of Environmental and Commercial Services, Legal Services Manager, Head of Financial Services, Principal Accountant, Equalities Officer, Acting Principal Climate Change Strategy Officer, Asset Manager (Commercial Buildings), and L Rowan, Committee Services Officer have been consulted and their comments incorporated into the report.

8. CONCLUSION

8.1 Committee is asked to approve the plans and programmes for expenditure for 2024/25 as set out in this report.

Author of Report: Paul Wolverson, Service Manager (Open Space, Waste Management, Catering & Facilities)

Background Papers: Report to Moray Council 19 January 2022:
<https://moray.cmis.uk.com/moray/CouncilandGovernance/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/124/Committee/2/Default.aspx>
Report to ED&I 4 December 2018:
<https://moray.cmis.uk.com/moray/CouncilandGovernance/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/231/Committee/9/Default.aspx>

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