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**REPORT TO: ECONOMIC DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE ON 6 SEPTEMBER 2011**

**SUBJECT: ELGIN TRAFFIC MANAGEMENT – WESTERN DISTRIBUTOR ROAD: REPORT 2**

**BY: CORPORATE DIRECTOR (ENVIRONMENTAL SERVICES)**

**1. REASON FOR REPORT**

- 1.1 This is a follow-up report to the related “Elgin Traffic Management – Western Distributor Road: Report 1” submitted in confidence to this meeting.
- 1.2 The Committee is asked to note the points identified below and to approve the recommendations.
- 1.3 This report is submitted to Committee in terms of Section G (18) of the Council’s Administrative Scheme relating to dealing with the preparation and implementation of traffic management schemes.

**2. RECOMMENDATION**

**2.1 It is recommended that the Committee:**

- (a) note the economic development and planning issues and associates risks;**
- (b) note the detailed appraisal work undertaken since the decision of this Committee in June 2011;**
- (c) consider the three options including land survey work carried out by Council’s consultants and Council staff on the junction options for the distributor road to the A96 West Road;**
- (d) approve the preferred option and instruct officers to proceed with the Stage 3 assessment, detailed design, planning application and property negotiations of the entire route.**
- (e) note the draft strategy for delivery of the Western Distributor Road.**

### 3. **ECONOMIC AND PLANNING BACKGROUND**

#### 3.1 National Economic context:

The Scottish Government's Economic Strategy has the following purpose:

*“to focus the Government and public service in creating a more successful country, with opportunities for all of Scotland to flourish through increasing sustainable economic growth”.*

#### Local Economic context

- 3.2 There has been significant progress recently in addressing local economic development, with the Council playing an important role. This is now the responsibility of the Council. As recently as Monday 20 June 2011, whilst on a ministerial visit to Moray, Fergus Ewing MSP and Minister for Enterprise confirmed the significance of transport infrastructure to sustainable economic growth.
- 3.3 In addition, two former Scottish Ministers with responsibility for Transport (i.e. Tavish Scott and Stewart Stevenson), during past visits to Elgin, have emphasised the importance of The Moray Council delivering on their own road infrastructure programme, including a distributor road in the west of Elgin, if the Council are to expect Government to improve the A96 in Elgin.
- 3.4 The Draft Moray Economic Strategy recognises the importance of good transport links in general to the economy of Moray, both now and in the future. Our reliance on good external transport links is obvious, but the report also stresses the importance of accessibility within Elgin, as the main centre of economic activity.

The report identifies key transport interventions to enable the Elgin City for The Future to perform its regional function efficiently, and one of these is the need to create

*“an effective method of traffic distribution outside of the town centre that enables the urban road network to function efficiently.”*

- 3.5 The Draft Elgin City for The Future (ECF) report states clearly that

*“this study recognises the need for a complete and functional distributor road network to ensure that the traffic related to the proposals in the town centre can be managed.”*

- 3.6 The main ECF proposals for the town centre are unlikely to be achieved if the transport requirements cannot be delivered. One of the mainstays of the masterplan is that the severance effect of Alexandra Road on pedestrians must be significantly reduced. The report recognises that an A96 bypass of Elgin will not achieve this as the need for managing local traffic, which makes up approximately 75% of the volume, is more critical.

*“A more effective solution would be to complete a series of distributor roads around the town to allow better access to non-central parts .....would remove a greater proportion of vehicles from the town centre than the bypass proposals”.*

*“Furthermore, many of the problems within the town centre are caused by the conflict of east-west and north-south traffic..... the distributor road system would also benefit traffic on the north-south axis, thereby providing yet more benefit.”*

*“By allowing ease of movement around the town periphery, the distributor roads would remove the dominance of the A96 and A941 opening up development opportunities elsewhere in Elgin. They would also distribute traffic more evenly and remove pressure in a number of key congestion hotspots such as Edgar Road, as well as the town centre”.*

- 3.7 The report also refers to development of the “twin” centres of Edgar Road and the town centre, as a dual centre model, sharing investment .... *“and with improved linkages.”*
- 3.8 Transportation consultants, Buchanans, who did the traffic modelling work required to support the transport elements of the ECF report, found that without a Western Distributor road in place, the traffic flows at junctions on A96 Alexandra Road would be considerably higher, and advises that

*“This would increase the size of the junctions required and could require the use of third-party land and Compulsory Purchase procedures”.*

This is consistent with the findings of our framework consultants Jacobs.

- 3.9 Local Plan 2000 included proposals for a number of major developments mainly in the south of Elgin, and this required significant major transport infrastructure improvements (TSP’s) to be provided alongside the developments to cater for the generated traffic. The approved Plan included a proposed new crossing of the railway at the south end of Wittet Drive and a major improvement scheme for the A96/Wittet Drive junction. On the basis of this, major retail developments on Edgar Road were given planning consent. Many of the developments, including the whole Elgin South housing development, progressed whilst only some of the road infrastructure improvements were built.
- 3.10 This situation has continued into the current Local Plan. The proposed road infrastructure improvements (TSP’s) are still clearly identified in the Plan but the delivery of them has not kept pace with the traffic generators. The road improvements on the southern edge of the town, which were regarded as “easy wins,” have been completed, but the essential links with the remainder of the road network, one of which requires some property acquisition, and for which the Council has collected developer contributions, are now overdue. This is reflected in the level of congestion evident in many

parts of the town, and is now a real constraint for developing even those sites which are currently designated in the Local Plan.

#### **4. BACKGROUND TO APPROVED ROADS OPTIONS**

- 4.1 Reference is made to the Economic Development and Infrastructure Services Committee on 28 June 2011 (para 4 of the minute refers) where approval was given for the Inner (Urban) route to form the Western Distributor Road. This will include a new bridge crossing the railway as well as a major junction improvement on the A96 at or near the north end of Wittet Drive and will use Wittet Drive as part of the route.
- 4.2 The approved route is shown on **Appendix A**. Three junction options have been considered at the two locations shown on the plan.
- 4.3 Following the June meeting, additional work has been done by Jacobs consultants on the junction options for joining the Western Distributor Road to the A96 and this has been done in the knowledge that the design will have to comply with Transport Scotland's standards. This includes ensuring that significant vehicle delays are not introduced on the A96 trunk road.
- 4.4 In addition Moray Council staff have carried out a more detailed topographic survey of the area in order to provide a greater level of confidence in the findings.
- 4.5 It has previously been reported to the Committee on a number of occasions that an effective junction with the A96, acceptable to Transport Scotland, will require the acquisition of some residential property. Every effort has been made to minimise, where possible, the potential impact to property when considering the junction options. This however has to be weighed against technical acceptability, cost and value for money.
- 4.6 It is acknowledged that the Elgin Designing Streets Action Group has been set up and subject to approval of the proposals today we will begin to communicate with this group on the more detailed aspects of the scheme design. It is considered that the work undertaken by Jacobs so far will not adversely affect the forthcoming discussions with the group.
- 4.7 The junction appraisal findings are outlined below:

##### **Option A: Signalised Junction (Est. Cost £2.8m)**

- 4.8 Design standards for the traffic flows and turning volumes means that this option requires the A96 to be widened to provide a right-turning lane and the signals heads, together with their associated stop lines, set back from the junction to allow HGVs to turn safely.
- 4.9 As a result three houses would have to be acquired in order to provide adequate junction design. In addition garden ground of five other properties would be required.

- 4.10 Transport Scotland have previously indicated that they would not accept driveways close to the junction if under traffic signal control and vehicle accesses to five properties may well have to be closed off. Alternative vehicle access to some of these properties may be difficult to provide and if arrangements could not be agreed the Council may be forced to acquire or compensate some or all of these properties as well.
- 4.11 The traffic model provides relatively coarse indications of projected traffic flows. Consequently all the junction options have been designed with spare capacity and to cope with a certain amount of growth. The traffic signals option has less spare capacity than the roundabout options and should the signals be selected, it is possible that the junction may have to be further improved in the future. This would require the acquisition of additional property.

Option B: On-Line Roundabout Junction (Wittet Drive Roundabout)  
(Est. Cost £4.8m)

- 4.12 Various scenarios for an acceptable roundabout junction at this location have been considered in the past. All require varying combinations of house acquisition and complex earthworks to the north of the A96 in order to meet the design and safety standards that would be required by Transport Scotland.
- 4.13 The solution which scores highest across all criteria is with the roundabout centred on the existing junction. This results in a roundabout that requires the acquisition and demolition of four residential properties together with garden ground from up to ten other properties.
- 4.14 Transport Scotland are unlikely to accept driveways close to the roundabout and consequently vehicle accesses to four of these properties may have to be closed off. Alternative access to these properties may be difficult to provide and if arrangements could not be agreed the Council may be forced to acquire or compensate some or all of these properties as well.

Option C: Off-Line Roundabout Junction (Sheriffmill Roundabout)  
(Est. Cost £3.0m)

- 4.15 The design necessitates the acquisition of two houses on Wittet Drive as well as garden ground from six other private properties and a portion of the field to the west of Wittet Drive.
- 4.16 This option involves the realignment of Sheriffmill Road at its junction with the A96. It moves the construction of the roundabout away from the existing junction and may reduce the amount of public utility diversion work required.
- 4.17 Transport Scotland is unlikely to accept driveways close to the roundabout and consequently the vehicle access to one of the properties may have to be closed off. Alternative access to these properties may be difficult to provide

and if arrangements could not be agreed the Council may be forced to acquire or compensate this property as well.

4.18 Transport Scotland have also indicated that with this option, they may be agreeable to retaining the existing Wittet Drive junction with the A96 providing some form of suitable traffic management is implemented. This may result in the north end of Wittet Drive being one-way to ensure it is only used for access by local traffic.

4.19 As previously identified this option would have a number of additional benefits compared with alternatives:

- Additional house sites could be made available from R8 designated housing site if the displaced household wished to remain at Wittet Drive.
- Better access to designated housing site R8 – Hattonhill (Designated site suitable in principle for up to 20 houses)
- A relatively traffic-free section for residents at the north end of the existing Wittet Drive.
- Reduced utility diversions compared with the other options.
- Reduced disruption during construction.

4.20 Summary of options

	<b>Option A: Existing Junction Signalised</b>	<b>Option B: Wittet Drive Roundabout</b>	<b>Option C: Sheriffmill Roundabout</b>
<b>Technical acceptability and buildability</b>	√	√√	√√√
<b>House Acquisition</b>	XXX	XXXX	XX
<b>Substantial Land / driveway impacts</b>	XXXX	XXXXX	X
<b>Minor Land / Driveway impacts</b>	XX	XXXXXXXX	XXXXX
<b>Estimated Costs*</b>	£2.8M	£4.8M	£3.0M

The options are summarised below.

\* costs are based on Q4 2010 and are estimates prior to detailed design.

√ most ticks = highest score

X numbers affected by option

- 4.21 In general, in addition to having more traffic capacity than the traffic signal option considered, and therefore less queuing and reduced delays at peak periods, the roundabout options will also operate better at off-peak times, particularly when traffic volumes are low, as traffic signals may still delay traffic at any time of the day or night. These delays could be over three times longer under the signals layout than the roundabout. To introduce additional capacity to the signal arrangement will require the acquisition of further properties.
- 4.22 The Sheriffmill Roundabout option provides a more technically acceptable solution whilst having less impact on properties. It also has comparable costs to the other options. Consequently this is the “preferred option” for the proposed junction between Wittet Drive and the A96 trunk road.
- 4.23 The layouts identified above do not represent full and detailed design. Previous reports have referred to the Government recognised 3-stage DMRB appraisal process which is being followed and the process is now at the conclusion of stage 2. The preferred option will be developed through the Stage 3 and detailed design phases of the project and consequently it is possible the precise details may change slightly in the process, though this will not change the number of properties which are indicated as needing to be acquired.
- 4.24 With approval of this preferred junction option, the Stage 3 route assessment could proceed and run in parallel with the detailed design process. This route assessment incorporates an Environmental Statement as well as more detailed engineering, traffic and economic assessments of the route. This culminates in a Stage 3 Report.
- 4.25 All of the options identified above require the acquisition of both houses and private ground. Details of the specific requirements relating to potential acquisition are given in Report 1 also submitted to this Committee. By nature of its content this report has to be confidential.

#### Western Distributor Road Strategy

- 4.26 The delivery of the Western Distributor Road (WDR) is crucial to the continued development of Elgin and will require a significant investment over a number of years. The route from Edgar Road to the A96 involves the construction of a new rail bridge, two major junctions and about 1km of new road. As part of this, road access will be provided to the designated affordable housing site at Bilbohall.
- 4.27 Successful delivery of this project will require a number of technical, economic and environmental challenges to be overcome. Planning approval, land and property acquisition, public utility consultation and diversions, environmental surveys and assessments, traffic Orders and contractor procurement are all required.
- 4.28 Subject to the approval of this Committee, The Stage 3 route assessment will now progress in parallel with detailed design. A planning application will be submitted once the design process has progressed sufficiently. This process

will include engaging with the public as well as public utility and other statutory consultations. Preliminary discussions have already taken place with SEPA and SNH.

- 4.29 The project should be considered as a whole with a single planning application being promoted as this will deal with all the issues at once. Only building part of the project will not deliver the full range of benefits required.
- 4.30 It is likely that, even if all the individual aspects of the project run smoothly, delivery would take between 3 and 4 years to complete. However delays to any of the key aspects such as the need for a planning Inquiry, compulsory purchase orders or budgetary difficulties could extend this period significantly.
- 4.31 Regular reports on progress will be submitted to this Committee as the scheme develops.

## **5. SUMMARY OF IMPLICATIONS**

### **(a) Single Outcome Agreement/ Service Improvement Plan**

This report is in line with National Outcome 1 and Local Outcome 3: “Moray will benefit from an improved and safer transportation infrastructure”.

Service Priority 2 (Elgin Traffic Management Plan) of the Service Improvement Plan.

National outcome 9 “We live in well-designed, sustainable places where we are able to access the amenities and services we need.” Local priority 4 “ housing and homelessness – more people in Moray will have access to affordable housing” – completion of the Western Distributor Road will enable access to land designated for much needed affordable housing in Elgin.

### **(b) Policy and Legal**

In order to provide details of the potential property and land acquisitions required for the junction options, an earlier and confidential report to this Committee has been submitted.

### **(c) Financial implications**

Once the route has been approved, some affected landowners, in particular circumstances, could request that the Council should purchase their land or property outright, and consequently the Capital Plan allocation for 2011/12 may have to be reviewed. This would be the subject of a future report to the appropriate Committee.

Capital allocation covering delivery of the scheme in subsequent years will form part of the Capital Plan Review process later this year. Property acquisition costs have been included in the estimated costs.

**(d) Risk Implications**

By submitting a single Planning Application for the whole route there is a risk that should the application be delayed there would be a knock-on impact on the delivery of the access to the affordable housing site at Bilbohall.

The two options located at the existing Wittet Drive / A96 junction will both severely impact on a number of existing driveways as outlined above. There is a significant risk that if either of these solutions is selected, additional residential properties may have to be acquired as forming alternative driveways may not be possible.

Protracted delivery of the project as a result of lengthy delays between phases will reduce efficiencies associated with a single project and increase construction costs. It would also lead to severe traffic congestion on other parts of the road network, with ensuing constraints on many development proposals and on the progress of the next Moray Local Plan.

**(e) Staffing Implications**

Delivery of the scheme will require work to be shared between in-house staff and Jacobs. Work kept in-house will depend on the availability of resources and other priorities and on any specialised expertise needed.

**(f) Property**

A number of properties will be affected by any of the junction options as indicated above. In addition there will be some impact to a few properties at the south end of Wittet Drive due to the likely close proximity of the realigned road. It is expected that this will involve the acquisition of some garden ground only.

Should a junction option be selected and therefore the whole route approved, the Council would be obliged to enter into negotiations with any owner of land we need, should they wish to sell.

It is hoped that all property or land required for the scheme could be acquired through negotiation however should this not be possible, a compulsory purchase order (CPO) will have to be considered. Compensation costs included in the estimates are based on 2008 figures and require to be updated to current values.

**(g) Equalities**

None.

**(h) Consultations**

Alex Burrell, Estates Surveyor has been consulted and comments have been incorporated into the report.

Lorraine Paisey, Principal Accountant has been consulted and is in agreement with the financial recommendations.

Alasdair McEachan, Principal Solicitor has been consulted and comments have been incorporated into the report.

Graeme Davidson, Housing Strategy and Development Manager has been consulted and supports the recommendations as this will remove any constraint on delivery of the access to the affordable housing site.

Beverly Smith, Principal Planning Officer has been consulted and any comments may be made at the meeting.

Mark Cross, Principal Planning Officer has been consulted and any comments may be made at the meeting.

## **6. CONCLUSIONS**

- 6.1 All acceptable junction options for joining Wittet Drive to the A96 trunk road require the acquisition of residential property. The Option C: Sheriffmill Roundabout provides the best technical solution, has the least impact on property both during construction and in the long-term and is comparable in cost to the other options. This should be selected as the preferred option.**
- 6.2 General property implications are identified above however in order to make a fully informed decision further details are given in Report 2 also submitted to this Committee. The points identified in both reports should be considered before a decision on the junction option appraisal is made.**
- 6.3 The delivery timetable of this project is dependant on a number of aspects. Key amongst these are the planning process, property acquisition and finance. Should these proceed smoothly, this scheme could be delivered in its entirety in 3 to 4 years.**

Author of Report: F Knight, Senior Engineer

Background Papers:

Ref:



## **THE MORAY COUNCIL**

### **EXTRACT FROM MINUTE OF MEETING OF THE ECONOMIC DEVELOPMENT & INFRASTRUCTURE SERVICES COMMITTEE**

**TUESDAY 6 SEPTEMBER 2011**

**COUNCIL OFFICE, ELGIN**

#### **PRESENT**

Councillor J Russell (Chairman), G Coull, S Cree, J Divers, G Leadbitter, G McDonald, G McIntyre, I Ogilvie, P Paul, R Shepherd and A Wright.

#### **APOLOGIES**

Apologies for absence were intimated on behalf of Councillors L Bell & J Hamilton.

#### **IN ATTENDANCE**

The Corporate Director (Environmental Services), the Head of Direct Services, the Head of Development Services, the Transportation Manager, the Consultancy Manager, the Estates Manager, R Gerring, Senior Engineer, F Knight, Senior Engineer (Design), L Paisey, Principal Accountant, R Milburn, Principal Officer (Economic Development), M MacLeod, Design Manager, S Williamson, Waste Management Officer, A McEachan, Principal Solicitor (Commercial & Conveyancing), P Harty, Planning Officer (Planning & Development) and the Senior Committee Services Officer, Clerk to the Meeting.

#### **1. DECLARATION OF GROUP DECISIONS**

Councillor Leadbitter declared an interest item 4 & 5 "Elgin Traffic Management : Western Distributor Road Report 1" & "Elgin Traffic Management : Western Distributor Road Report 2"

There were no other declarations from group leaders or spokespersons in regard to any prior decisions taken on how members will vote on any item on the Agenda.

#### **2. ORDER OF BUSINESS**

In terms of Standing Order 28, the meeting agreed to vary the order of business set down on the Agenda and take the confidential items of business, items 4, 19, 20, 21 & 22, at the commencement of the meeting and resume in public session at 11.00 am.

### 3. EXEMPT INFORMATION

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

<u>Para No of Minute</u>	<u>Para No of Schedule 7A</u>
4	6, 8 & 9
5	1,8 & 9
6	8 & 9
7	9
8	8 & 9

#### 4. ELGIN TRAFFIC MANAGEMENT : WESTERN DISTRIBUTOR ROAD: REPORT 1 (Paras 6, 8 & 9)

Prior to considering this item Councillor Leadbitter left the meeting taking no part in the discussion or decision.

Under reference to Paragraph 4 of the Minute of this Committee dated 28 June 2011 there was submitted a report by the Corporate Director (Environmental Services) advising the Committee of the implications of the acceptable junction options for joining Wittet Drive to the A96 trunk road as part of the Elgin Traffic Management : Western Distributor Road project, details of which were set out in Section 5 of the report.

A McEachan, Principal Solicitor (Commercial & Conveyancing) advised the meeting that whilst it would have been preferable to have dealt with the route evaluation issues in public, some of the information Members required to be aware of prior to the selection of the preferred junction option relates to details of properties affected by the various options which is considered confidential in terms of Paragraphs 6, 8 & 9 of part 1 of schedule 7A of the Local Government (Scotland) Act 1973.

The Head of Direct Services gave a PowerPoint presentation on the technical details of the three A96 junction options relating to traffic lights at the existing A96/, Wittet Drive junction, a roundabout at the same junction and a roundabout at the A96/Sheriffmill road roundabout which included details of the individual properties which would be affected by each of the three options. Thereafter the Head of Direct Services responded to Members questions during which it was noted that were the Sheriffmill roundabout option to be approved as the preferred option any decision on the details of traffic flow and traffic calming at the existing junction of Wittet Drive and the A96 trunk road would take place following consultation with the community. It was also noted that due to the complexity of the presentation it was not possible to reproduce the various option site plans in paper form prior to the meeting. It was noted however that in future when such a complex issue is to be discussed consideration be given to either giving a presentation to members prior to the

meeting or producing a short DVD of the presentation so that Members are aware of all the facts prior to determining the matter at the meeting. The meeting also noted that subsequent to a decision being taken on the preferred junction option the Council will be engaging with the Community, affected residents and the Elgin Designing Better Streets Action Group on the proposals and that appropriate site plans of the agreed route plan will be made available to the community and affected residents as soon as practicable.

Following consideration the Committee: -

- (i) noted the economic development and planning issues and associated risks;
- (ii) noted the detailed appraisal work undertaken since the decision of the Committee on 28 June 2011;
- (iii) noted the three options including land survey work carried out by Council's consultants and Council staff on the junction options for the distributor road to the A96 West Road;
- (iv) noted the property acquisition implications of each of the three options for the Wittet Drive/West Road junction; and
- (v) agreed to consider these implications as part of the option evaluation required by Elgin Traffic Management – Western Distributor Road: Report 2, item 5 on in the Agenda.

At the conclusion of this item Councillor Leadbitter rejoined the meeting.

## **5. REPLACEMENT DREDGER (PARAS 1, 8 &9)**

Under reference to Paragraph 23 of the Minute of this Committee dated 8 March 2011 there was submitted a report by the Corporate Director (Environmental Services) inviting the Committee to consider future dredger operations including a replacement of the Council's dredger, the "Shearwater". There was appended to the report as Appendix A a copy of the Dredger Replacement Business case and it was noted that financial details of the business case had been made available on the Members' Portal.

Following consideration the Committee agreed:-

- (i) to note the contents of the report considering future dredger operations and authorised Officers to prepare a plan for part-time working of the Shearwater from 2013 onwards; and
- (ii) that an update report on the situation to include the possibility of partnership working be submitted to this Committee in 6 months.

## **6. WATER BOTTLING FACILITY AT BRAES OF GLENLIVET (PARAS 8 & 9)**

There was submitted a report by the Corporate Director (Environmental Services) inviting the Committee to consider recommending to the Policy & Resources Committee the proposed sale of the water bottling facility at Braes of Glenlivet to Highland Spring Limited.

Following consideration the Committee agreed to recommend to the Policy & Resources Committee that it agrees to:

- (i) the sale of the water bottling facility at Braes of Glenlivet to Highland Spring Limited on the main terms as detailed in para 4.7 of the report; and
- (ii) remit the Principal Solicitor (Commercial & Conveyancing ) to conclude the transaction.

## **7. ENVIRONMENTAL SERVICES REVENUE BUDGET: QUARTER 1 MONITORING REPORT FOR TRADING ACCOUNTS (PARA 9)**

There was submitted and noted a report by the Corporate Director (Environmental Services) informing the Committee of the progress of Trading Accounts against revenue budgetary targets for the financial year 2011/12 during the period 1 April 2011 to 30 June 2011.

## **8. FORRES (BURN OF MOSSET) FLOOD ALLEVIATION SCHEME: SPECIALIST SERVICES FOR GROUNDWATER MODELLING IN PREPARATION FOR THE LANDS TRIBUNAL FOR SCOTLAND (PARAS 8 & 9)**

There was submitted a report by the Corporate Director (Environmental Services) seeking homologation of action taken by the Consultancy Manager, in consultation with the Chair of this Committee and the Chair of Policy and Resources Committee to appointment British Geological Survey (BGS) as specialist consultant in preparation evidence to the Lands Tribunal for Scotland.

Following consideration the Committee agreed to homologate the action taken by the Consultancy Manager, in consultation with the Chairs of the Economic Development & Infrastructure Services and Policy & Resources Committees, to appoint BGS as:

- (i) consultant to carry out and report on groundwater modelling, prepare evidence for the Lands Tribunal for Scotland; and
- (ii) an expert witness for the Tribunal proceedings.

## **9. ELGIN TRAFFIC MANAGEMENT : WESTERN DISTRIBUTOR ROAD: REPORT 2**

Prior to consideration of this item Councillor Leadbitter left the meeting and took no part in the discussion or decision.

Under reference to Paragraph 4 of the Minute of this Committee dated 28 June 2011 and Paragraph 4 of this Minute there was submitted a report by the Corporate Director (Environmental Services) advising the Committee of the findings of the technical appraisal of each of the three acceptable junction options for joining Wittet Drive to the A96 trunk road and inviting the Committee to consider a preferred option taking into account the implications for residents affected by the various options, as intimated in the earlier confidential report to Committee (para 4 of this Minute refers).

Prior to considering the report the Corporate Director (Environmental Services) addressed the meeting on the economic and planning background to the project emphasising the economic aspirations and importance of the project and that the delivery of the Western Distributor Road is crucial to the continued development of Elgin and will require a significant investment over a number of years. Thereafter the Head of Direct Services addressed the meeting on the technical details of the three A96 junction options relating to traffic lights at the existing A96/Wittet Drive junction, a roundabout at the same junction and a roundabout at the A96/Sheriffmill Road roundabout none of which can be constructed without some property being acquired in terms of associated property and adjoining land. A summary of the options and estimated costs were set out in Section 4.20 of the report.

Thereafter members expressed their views and officers responded to questions during which it was noted that Scottish Government ministers have repeatedly made it clear that potential improvements to the A96, which is crucial to the future economic development of Moray, will not be progressed until Moray Council has delivered a distributor road and that should the Sheriffmill roundabout option to be approved as the preferred option any decision on the details of traffic flow and traffic calming at the existing junction of Wittet Drive and the A96 trunk road would take place following consultation with the community. The Chairman also acknowledged the arguments put forward by the Elgin Designing Better Streets Action Group that effectiveness is not just about traffic speed and hoped that officers of the Council will take into consideration the Group's ideas in progressing to the detailed planning process.

Following consideration the Committee:

- (a) noted the economic development and planning issues and associated risks;
- (b) noted the detailed appraisal work undertaken since the decision of the Committee in June 2011;
- (c) considered the three options including land survey work carried out by Council's consultants and Council staff on the junction options for the distributor road to the A96 West Road;
- (d) approved option „C' as the preferred option and instructed officers to proceed with the Stage 3 assessment, detailed design, planning application and property negotiations of the entire route; and
- (e) noted the draft strategy for delivery of the Western Distributor Road.