

THE MORAY COUNCIL

**MINUTE OF MEETING OF THE ECONOMIC DEVELOPMENT &
INFRASTRUCTURE SERVICES COMMITTEE**

TUESDAY 26 MAY 2009

COUNCIL OFFICE, ELGIN

PRESENT

Councillor J Russell (Chairman), J Cree (Deputy Chair), L Bell, G Coull, J Hamilton, G Leadbitter, G McDonald, G McIntyre, I Ogilvie, P Paul, R Shepherd and A Wright.

APOLOGIES

Apologies for absence were intimated on behalf of Councillor J Divers

IN ATTENDANCE

The Director of Environmental Services, Head of Direct Services, Head of Development Services, Transportation Manager, Planning & Development Manager, D Duncan, Principal Planning Officer, School Travel Co-ordinator, L Paisey, Principal Accountant, A McEachan, Principal Solicitor (Commercial and Conveyancing) and Mrs C Carswell, Committee Services Officer, Clerk to the Meeting.

1. DECLARATION OF GROUP DECISIONS

In terms of Standing Order 20 and the Councillors' Code of Conduct, the meeting noted that 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 nor any declarations of member interest in respect of any item on the agenda.

2. 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 paragraphs of this minute as specified below, so as to avoid disclosure of exempt information of the class described in the appropriate paragraphs of Part 1 of Schedule 7A of the Act.

Para No of Minute

Para No of Schedule 7A

20

8 & 9

21

8 & 9

3. WRITTEN QUESTIONS

There were no written questions.

4. ORDER OF BUSINESS

In terms of Standing Order 25, the meeting agreed to vary the order of business set down on the Agenda and take Item 13 on the agenda "Elgin – City for the Future – Allocation of Budget" and Item 17(a) on the agenda "LEADER" after Item 5 on the agenda "Keith Conservation Area Regeneration Scheme".

5. KEITH CONSERVATION AREA REGENERATION SCHEME

The Director of Environmental Services left the meeting as he was a non-executive director of Historic Scotland.

There was submitted a report by the Head of Development Services seeking Committee's approval for the resubmission of a funding bid to Historic Scotland for a Conservation Area Regeneration Scheme (CARS) in the Mid Street/Reidhaven Square conservation area of Keith. The Committee were also asked to approve the enactment of the CARS project and approve a funding contribution of up to £15,000 from the 2009/10 Economic Development Budget and up to £47,000 a year from the Economic Development Budget for the 5 years from 2010/11 to 2015/16 which will contribute up to £250,000 towards the total scheme cost of £1,237,000.

Councillors Shepherd, Coull and Cree welcomed the report as it was an opportunity to attract visitors, investors and people to live in Keith and they hoped that commercial businesses would take advantage of the offer.

Following consideration the Committee approved:-

- (i) the resubmission of a funding bid to Historic Scotland for a Conservation Area Regeneration Scheme in the Mid Street/Reidhaven Square/Chapel Street conservation area of Keith; and
- (ii) a contribution of up to £15,000 from the 2009/10 Economic Development budget and up to £47,000 a year from the Economic Development budget for the 5 years from 2010/11 to 2015/16 and this £250,000 would draw an additional £548,000 from Historic Scotland and £439,000 private money towards the total scheme cost of £1,237,000.

The Director of Environmental Services re-entered the meeting.

6. 'ELGIN - CITY FOR THE FUTURE' - ALLOCATION OF BUDGET

There was submitted a report by the Director of Environmental Services proposing an allocation from the Economic Development budget towards the funding of the study, 'Elgin - City For the Future'.

Following consideration the Committee:

- (i) agreed that the sum of £50,000 be allocated from the Economic Development budget, as the Council's financial contribution towards the funding of the project 'Elgin - City for the Future'; and
- (ii) noted that further reports relating to the progression of this project will continue to be presented to the Wealthier and Fairer Strategic Group, and the Community Planning Board.

7. LEADER

There was submitted a report by the Director of Environmental Services asking the Committee to consider elected member representation on the LEADER Local Action Group.

Following consideration the Committee nominated Councillor Russell to represent the Moray Council on the Moray LEADER Local Action Group and that Councillor Russell could nominate a substitute on a whom failing basis.

8. INVESTIGATION OF 20 MPH SPEED RESTRICTIONS AROUND SCHOOLS

There was submitted a report by the Director of Environmental Services asking the Committee to consider a report outlining the 20mph speed restriction schemes which have been implemented around schools in Moray and reasons why the same have not been promoted at all schools. The meeting noted that an updated list of schools had been distributed at the meeting.

Councillor Russell, seconded by Councillor Wright, put forward a motion that a report come back in the Autumn with the results of the "See Me" trial and that Officers look at the 17 sites not currently covered and come back with a report.

Councillor Coull advised that he had been campaigning for 2 years with regard to Newmill and Crossroads as he felt that all schools should have 20mph zones and the Council should be ensuring that all schools were safe for children and staff. The road next to the Newmill School was used as a thoroughfare which service buses use and the road outside Crossroads School has a 60mph limit. He further advised that there was clear guidance from the Scottish Government that speed limits outside schools should be 20mph.

Therefore Councillor Coull, seconded by Councillor Paul put forward an amendment that the Committee agrees to install 20mph speed limits around all schools in Moray in accordance with Scottish Government guidance ETLLD Circular No 1/2004 and requests the Transportation Manager to compile a programme for future installation.

In response to a comment from Councillor Leadbitter that the public perceive that there is a safety risk to children and it would have a negative impact on the community wellbeing, the Head of Direct Services advised that the table presented to Committee today did not give justice to the amount of information collated and the motion from the Chair to take the information back to Committee would be useful for discussion. He also advised that if there was the confidence that a 20mph blanket scheme would give the level of safety suggested then the Council would support that but there was no evidence to back these claims and the Council could only put forward speed limits which were meaningful and would give the desired results.

The Director of Environmental Services advised that as a Council there was concern regarding safety and having 20mph zones may be the public's perception but advice from Grampian Police and Officers were that, in some instances, it may not be the safest solution. He also felt that if the Council were to agree to a 20mph blanket scheme then resources may be diverted away from streets being safer.

On a division there voted:-

For the Motion (7) Councillors Bell, Cree, Hamilton, McIntyre, Russell
Shepherd and Wright

For the Amendment (5) Councillors Coull, Leadbitter, G McDonald, Ogilvie and
Paul

Abstain (0)

Accordingly the Motion became the finding and the Committee agreed:-

- (i) to a report coming back in the autumn regarding the "See Me" trial; and
- (ii) that Officers would look at the 17 sites not currently covered by 20mph and come back with a report.

9. DISABLED PARKING LEGISLATION

There was submitted a report by the Director of Environmental Services advising the Committee of the impact of the Disabled Persons' Parking Places (Scotland) Act 2009 for the Moray Council.

In response to a questions from Councillors regarding as to which projects would be delayed as a result of this Act and the costs of road traffic orders, the Transportation Manager advised that it was difficult to say, as at present they were still trying to work out the implications of the new Act, how much work was involved and until this had been done it would be difficult to estimate the volume of work which would be displaced. There was also a need to ask retailers who provide disabled parking spaces whether they would wish to have an agreement with the Council for enforcement. He further advised that the costs of a road traffic order are £1,000 -

£1,500 and at present they were looking into whether these could be advertised as a batch or whether they would have to be done as individual road traffic orders.

Councillor Cree advised, that in his opinion, it was worrying that the Committee were unaware of the implications as the cost could run into hundreds of thousands of pounds and he was disappointed that this was classed as a matter of priority when these monies could be better spent on education and care.

Councillor Wright stated that the Act had huge repercussions throughout Scotland and he would like to see a report back with more detail on costs and implications.

The Head of Direct Services advised that an implementation group had been set up to look at how the detail of the act would be implemented. In terms of taking back a report they would be guided by whether there requires to be single/multiple orders, work to be done on site and how often. He further advised that they have costs for putting boxes on roads and taking them away but were unsure as to how much adjustment there would require to be to the markings currently in place. He also confirmed that the Act would effect the three different types of parking i.e. public streets, retailers and spaces outside private homes.

In response to a question from Councillor Leadbitter as to whether fines from enforcement would be offset against the costs of this work, the Head of Direct Services advised that this Act would give the enforcing Authority the opportunity to deliver an enforcement notice if the parking space was abused but consequence of that was still to emerge.

Following consideration the Committee agreed to:

- (i) note, with concern, the contents of the report;
- (ii) instruct the Transportation Manager to prepare, publish and submit annual reports to the Scottish Ministers as required by the legislation; and
- (iii) Officers bringing back updates on operations, methods and financial implications on this Act.

10. PARK AND RIDE STUDY

There was submitted a report by the Director of Environmental Services informing the Committee of a recent report commissioned by HITRANS regarding the feasibility of developing Park and Ride opportunities to relieve congestion on key arteries into Elgin and Inverness.

Following consideration the Committee noted that it was unlikely that Park and Ride would be successful in Elgin due to various aspects of existing traffic conditions.

11. THE MORAY COUNCIL TRAVEL PLAN

There was submitted a report by the Director of Environmental Services informing the Committee of the progress to date with The Moray Council Travel plan and seeking approval of the Moray Area Offices, Elgin Area Offices and Corporate Travel Plan reports.

Councillor Leadbitter proposed a change to the recommendations as it required further consideration of proposals at a later date and he would like to note the travel plans rather than adopt. He advised that he would feel uncomfortable adopting these plans before the information was available to the public.

Councillor Russell asked that Members be distributed with copies of the Travel Plans for their consideration.

Following consideration the Committee agreed:

- (i) to note the contents and the recommendations of the Elgin Area and Moray Area Travel plan reports; and
- (ii) to note the Corporate Travel Plan report and action plan.

12. CAPITAL PLAN 2009/2010 - ROAD SAFETY AND CYCLING, WALKING AND SAFER STREETS SCHEMES

There was submitted a report by the Director of Environmental Services asking the Committee to approve the list of Road Safety and Cycling Walking and Safer Streets schemes to be funded from the 2009/2010 Capital Plan.

Councillor Leadbitter advised that between Manitoba and Beechfield could be a critical cycle link due to the housing development and new shops at Southfield and he would like to see this moved from the reserved scheme to the deliverable scheme list and Officers agreed to note his comments.

Following consideration the Committee approved for funding from the appropriate Capital allocation in financial year 2009/2010:

- the schemes identified in Appendix 1 to improve Road Safety.
- the schemes identified in Appendix 2 as Cycling Walking and Safer Streets projects.

13. ACTIVE TRAVEL AUDITS - BUCKIE, ELGIN AND KEITH

There was submitted a report by the Director of Environmental Services informing the Committee of the completion of Active Travel Audits (ATAs) for Buckie, Elgin and Keith.

Councillor Leadbitter advised that he wished to change the recommendation to read note rather than approve as Community Councils and Forums should have an opportunity to comment, the School Transport Co-ordinator advised that there had been a degree of consultation with Elgin Forum and Community Council but in the other two areas this had not been done due to timescale. The Transportation Manager advised that he felt it would be useful to send the documents out to community councils as it was a masterplan of what could be done in the future.

Councillor G McDonald advised that he would wish to see further debate before approving all recommendations and that the documents could be emailed to all the various groups as it was their communities which would be affected. The Transportation Manager advised that an active travel audit was a framework which identifies areas of potential action in the future and before anything would be done it would require to come back to this Committee for approval and this would be highlighted to those who were being issued with the document.

Councillor Leadbitter raised concerns with the word adopt in the recommendation as it appeared to read that the Council would deliver on these proposals and without debate he felt that he would be uncomfortable using that phraseology but that the audits could be used as a tool to inform future proposals. The Transportation Manager advised that informing future proposals was the correct wording as the purpose of the audits was a strategic view and developers could be asked to provide something which is within the document.

Councillor Russell asked for a further report to come to the next meeting with more information on the recommendations, way forward and how this would be introduced to the Planning & Regulatory Committee.

Following consideration the Committee agreed to:-

- (i) note the recommendations of the Buckie, Keith and Elgin ATAs and to use them to inform the process within the current planning structure;
- (ii) note the Elgin proposals in light of the Elgin 'Smarter Choices' package contained within the Capital Plan report; and
- (iii) a further report coming to the next Committee with more information on the recommendations, way forward and how to introduce the travel audits to the Planning & Regulatory Committee.

14. ELGIN TRAFFIC MANAGEMENT - CAPITAL PLAN

There was submitted a report by the Director of Environmental Services seeking Committee's approval for a number of projects in the Capital Plan as detailed in the report.

In response to a question from Councillor Cree regarding whether there was funding in place for Buckie and Keith, the Head of Direct Services advised that it was a framework not an action plan and therefore there are no plans for the other

settlements. The Council would only see these plans come forward either when funding became available or when developer contributions could commit to some work. Whereas in Elgin, the element on the plan could be delivered through some measures other than construction of new roads, to support the needs of traffic management.

Following consideration the Committee approved the expenditure for the Elgin Traffic Management Capital projects for the 3 year period detailed in the report.

15. PROPOSED ROAD TRAFFIC REGULATION ORDER - VARIOUS STREETS, ELGIN 2009

There was submitted a report by the Director of Environmental Services inviting the Committee to over-rule the outstanding objection and proceed to approve the following Road Traffic Order:

"The Moray Council (Various Streets, Elgin - Prohibition of Waiting) Order 2009".

Councillor Russell asked Officers look at the issue on Duffus Road with regard to parking facilities, the Transportation Manager advised that they were aware of this issue and had looked at double yellow lines but felt that this may displace the traffic into residential streets but that they would look into this issue further.

Following consideration the Committee over-ruled the outstanding objection received, and authorised the Chief Legal Officer to make the undernoted order:

"The Moray Council (Various Streets, Elgin - Prohibition of Waiting) Order 2009".

16. TRAFFIC REGULATION ORDER - VARIOUS SPEED LIMITS - B9011 FORRES TO FINDHORN ROAD

There was submitted a report by the Chief Legal Officer inviting the Committee to approve the following Traffic Regulation Order:

"The Moray Council (B9011 Forres to Findhorn Road - Various Speed Limits) Order 2009".

Following consideration the Committee approved the undernoted Traffic Regulation Order and authorised the Chief Legal Officer to make the Order:

"The Moray Council (B9011 Forres to Findhorn Road - Various Speed Limits) Order 2009".

17. TRAFFIC REGULATION ORDER - REDETERMINATION OF EXISTING FOOTWAY TO CYCLETRACK - B9011 FORRES TO FINDHORN ROAD

There was submitted a report by the Chief Legal Officer inviting the Committee to approve the following Traffic Regulation Order:

"The Moray Council (B9011 Forres to Findhorn Road - Redetermination of Existing Footway to Cycletrack) Order 2009".

Following consideration the Committee approved the undernoted Traffic Regulation Order and authorised the Chief Legal Officer to make the order:

"The Moray Council (B9011 Forres to Findhorn Road - Redetermination of Existing Footway to Cycletrack) Order 2009".

18. ADOPTION OF ROADS ON TO LIST OF ROADS

There was submitted a report by the Director of Environmental Services asking the Committee to approve the addition of the road specified in the schedule in the Appendix to the statutory list of Public Roads.

Councillor Coull asked that further investigations be undertaken to ensure that there were no gaps with the transfer of roads from Grampian Region to the Moray Council and the Head of Direct Services noted the same.

Following consideration the Committee approved the adoption of roads scheduled in the Appendix to the Statutory List of Public Roads.

19. QUESTION TIME

In response to a question from Councillor Paul regarding an update on Speyside Dial-A-Bus and the Car Share Scheme, the Head of Direct Services advised that the Transportation Manager would organise a meeting between himself, the Public Transport Unit and Councillors to discuss the same.

20. ADVANCE FACTORY DEVELOPMENT, CHANONRY ROAD NORTH, ELGIN (PARAS 8 & 9)

There was submitted a report by the Head of Estates Services advising the Committee on the options available for the provision of new Advance Factory Units at Chanonry Road North, Elgin.

Following consideration the Committee instructed officials to proceed with Option 3 regarding tendering of a contract for the construction of 8 Advance Factory Units at Chanonry Road North, Elgin and to proceed to award the contract, subject to completion of the upfilling of the development site, obtaining planning consent and costs being within current budgetary provision.

21. ROTHES FLOOD ALLEVIATION SCHEME SETTLEMENT OF COMPENSATION CLAIMS (PARAS 8 & 9)

There was submitted a report by the Head of Estates Services asking the Committee to note progress in processing compensation claims arising from the Rothes Flood

Alleviation Scheme and to note and approve the compensation payments set out in Section B of Appendix 1.

Following consideration the Committee:

- (a) noted and approved the provisionally agreed compensation payments to the landowners affected by the Rothes Flood Alleviation Scheme works as set out in Section B of Appendix 1 to the report; and
- (b) noted the progress reached in processing compensation claims received to date from landowners affected by the Rothes Flood Alleviation Scheme.