

THE MORAY COUNCIL

MINUTE OF MEETING OF THE ECONOMIC DEVELOPMENT & INFRASTRUCTURE SERVICES COMMITTEE

TUESDAY 14 DECEMBER 2010

COUNCIL OFFICE, ELGIN

PRESENT

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

ALSO PRESENT IN RESPECT OF ITEM 1

Councillors J MacKay, A McKay, F Murdoch, M Shand, D Stewart and D Finch, Project Director, Moray Offshore Renewables Ltd

APOLOGIES

Apologies for absence were intimated on behalf of Councillors J Hamilton, G McDonald and G McIntyre

IN ATTENDANCE

The Head of Direct Services, the Head of Development Services, the Transportation Manager, M Cross, Principal Planning Officer (Planning & Development), A Duff, Senior Engineer (Traffic), P Haslam, Senior Engineer (Consultancy), L Paisey, Principal Accountant, A McEachan, Principal Solicitor (Commercial & Conveyancing), P Harty, Planning Officer (Planning & Development) and the Senior Committee Services Officer, Clerk to the Meeting.

1. MORAY OFFSHORE RENEWABLES LTD

Prior to the commencement of business D Finch, Project Director, Moray Offshore Renewables Ltd, gave a presentation, to which an invitation was extended to all members of the Council, on a proposal currently taken forward to develop one of the windfarms in the Moray Firth.

On the conclusion of his presentation Mr Finch responded to a number of questions on potential economic development opportunities emerging from the proposals which officers of the Council are already actively exploring with the Company. In conclusion the Chairman, on behalf of the Council, thanked Mr Finch for his interesting and informative presentation.

2. DECLARATION OF GROUP DECISIONS

Councillor Leadbitter declared a personal interest in item 8 'Elgin Traffic Management: Western Distributor Road Option Appraisal'

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.

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.

Para No of Minute

17

Para No of Schedule 7A

6

4. WRITTEN QUESTIONS

There were no written questions.

5. MORAY TOWN CENTRE HEALTH CHECKS 2010

Under reference to Paragraph 5 of the Minute of this Committee dated 23 February 2010 there was submitted a report by the Head of Development Services on the key findings of the Moray Town Centre Health Check 2010, which has been undertaken by Moray Council planning staff, in conjunction with Hargest Planning Ltd.

During discussion the meeting noted the work being carried out in regard to the regeneration of town centres across Moray and of the Committee's commitment in the funding of the CARS bid in respect of Keith which is due to be resubmitted. The meeting also noted that whilst it would be necessary for work on a consumers survey and review of the strategic model to be undertaken by specialist consultants every 5 years work on other statistical information could be undertaken annually in-house.

Following consideration the Committee agreed to:

- (i) note the findings of the 'Moray Town Centre Health Check Report 2010'; and
- (ii) approve the 'Moray Town Centre Health Check Report 2010', for the Committee's interest, as a Council technical reference document, in relation to retail planning issues, and to recommend to the Planning & Regulatory Services Committee that the document be adopted as a material consideration in future retail planning policy and planning application decision making.

6. A NEW ECONOMIC STRATEGY FOR MORAY

There was submitted a report by the Director of Environmental Services inviting the Committee to consider making a financial contribution of £5000 from the 2010/11 Economic Development budget towards the cost of developing a new economic strategy for Moray, which will be developed in partnership with other Moray Community Planning partners. A copy of the terms of reference of the proposed new strategy was appended to the report as Appendix 1.

Following consideration the Committee agreed:-

- (i) to approve a contribution of £5000 from the 2010/11 Economic Development budget towards the cost of developing a new economic strategy for Moray;
- (ii) to note that the development of the strategy was endorsed at a meeting of the Wealthier and Fairer Strategic Group on 14 October 2010 and that the strategy will be developed in partnership with other Moray Community Planning partners; and
- (iii) that the Committee's decision be conveyed to the Community Planning Board with a view to seeking financial support towards the cost of developing a new economic strategy for Moray from the Council's other Community Partners.

7. ELGIN TOWN CENTRE TRAFFIC MANAGEMENT PROPOSALS AND URBAN FREEDOM ACTIVE TRAVEL INFRASTRUCTURE IMPROVEMENTS

Under reference to Paragraphs 4, 5 and 6 of the Minute of this Committee dated 16 October 2010 there was submitted a report by the Director of Environmental Services inviting the Committee to consider over-ruling the objections detailed in the report in respect of the proposal to pedestrianise Batchen Street, Elgin and to advertise alterations to the two separate Traffic Regulation Orders, which will:-

- Consolidate existing and introduce new traffic management restrictions within Elgin Town Centre specifically pedestrianise Batchen Street except for loading and unloading and introduce a one way on North Street from St Giles Road (bus station exit) to A96 Alexandra Road; and
- Consolidate and rationalise the parking restrictions on various streets in Elgin Town Centre, specifically altered proposals in relation to High Street West and North Street.

Following consideration the Committee agreed to:-

- (i) over-rule the objections to the proposal to introduce two Traffic Regulation Orders to consolidate existing and introduce new traffic management restrictions on movement within Elgin town centre, specifically Batchen Street;
- (ii) authorise re-advertisement of the amended proposals as detailed in Appendices 1 and 2 to this report; and

- (iii) instruct the Director of Environmental Services and the Chief Legal Officer to proceed with the statutory process and to make either or both of the orders if no further objections are received.

8. ELGIN TRAFFIC MANAGEMENT: WESTERN DISTRIBUTOR ROAD OPTION APPRAISAL

Councillor Leadbitter declared a personal interest in this item and took no part in the discussion or decision.

Under reference to Paragraph 15 of the Minute of this Committee dated 19 October 2010 there was submitted a report by the Director of Environmental Services advising Committee of the current progress on the Western Distributor Road (WDR) option appraisal and of the proposals to engage in a public consultation exercise on the options, details of which were set out Section 4 of the report. A summary of the Draft Stage 2 Report was set out in Appendix A to the report. Copies of the full report had been placed in the members Library and the Elected members Information Portal.

Prior to considering the report S Burns and G Dodds of Jacobs Consultancy, which has been commissioned by the Council to undertake scheme assessment work to develop options for a western distributor road in Elgin, gave a brief presentation on a overview of the options and planned public consultations.

Following consideration the Committee agreed to note the progress on the Option Appraisal and approved the details presented for public consultation.

9. PROPOSED ROAD TRAFFIC REGULATION ORDER – A941 / MORRISTON ROAD, ELGIN

Under reference to Paragraph 6 of the Minute of this Committee dated 24 October 2010 there was submitted a report by the Director of Environmental Services inviting the Committee to consider approving minor amendments to the Road Traffic Regulation Order 'The Moray Council (A941/Morrison Road, Elgin – Proposed alteration to Existing Waiting Restrictions) Order 2010' in light of two objections to the original proposal. A copy of the revised schedule and plans were appended to the report as Appendices 1 & 2 respectively.

Following consideration the Committee agreed:

- (i) To approve the amended undernoted Road Traffic Regulation Order; and
- (ii) To instruct the Director of Environmental Services and the Chief Legal Officer to make the order:

“The Moray Council (A941 / Morrison Road, Elgin – Proposed Alteration to Existing Waiting Restrictions) Order 2010”

10. A941, NEW ELGIN ROAD / EDGAR ROAD JUNCTION: PREVIOUS FINANCIAL CONTRIBUTIONS TOWARDS ROAD IMPROVEMENTS

There was submitted a report by the Director of Environmental Services seeking the committee's approval of the designation of a proportion of the developer contributions previously received in respect of the Elgin Retail Park non-food retail development and the former sawmill site designated OPP1 within the 2008 Moray Local Plan to schemes intended to mitigate against the impact of development traffic at the A941 / Edgar Road roundabout.

The meeting noted that, in order to deliver the best solution to mitigate against the impact of traffic from development on the A941/Edgar Road Roundabout, a strategic approach is recognised as the best way forward. The approach has been agreed in principle with the developers and also by the Planning and Regulatory Services Committee of 30th November 2010 (Para 7 of the Minute refers).

Following consideration the Committee agreed to note the report and approve the designation of:

- (i) £272,176 of the Elgin Retail Park developer contribution already received towards schemes to mitigate against the impact of development traffic at locations other than the A941 / Edgar Road Roundabout;
- (ii) £100,000 of the Elgin Retail Park developer contributions towards utility diversions at the A941 Edgar Road Roundabout; and
- (iii) £150,000 of the OPP1 site developer contributions to be used to mitigate against development traffic impact at locations other than the A941 Edgar Road Roundabout.

11. PROPOSED 30MPH / 40MPH SPEED RESTRICTION B9012 DUFFUS ROAD, ELGIN

Under reference to Paragraph 22 of the Minute of this Committee dated 20 April 2010 there was submitted a report by the Director of Environmental Services inviting the Committee to consider over-ruling the remaining outstanding objection to the Road Traffic Regulation Order "The Moray Council (B90212 Duffus Road, Elgin 30mph / 40mph Speed Limit) Order 2010", set out in section 3.6 of the report, and approve the Order. Copies of the proposed Schedule and plan were appended to the report as Appendices 1 & 2 respectively.

Following consideration the Committee agreed to:

- (i) Over-rule the outstanding objection received;
- (ii) Approve the amended undernoted Road Traffic Regulation Order; and
- (iii) Instruct the Chief Legal Officer to make the Order:

"The Moray Council (B9012 Duffus Road, Elgin 30MPH/ 40MPH Speed Limit) Order 2010"

12. PROPOSED ALTERATION TO “SCHOOL KEEP CLEAR” ROAD MARKINGS, MORRISTON ROAD, ELGIN

There was submitted a report by the Director of Environmental Services seeking Committee approval of the promotion of a Road Traffic Regulation Order which will alter the existing waiting restrictions on Morriston Road, Elgin to complement the new Elgin Academy layout, as detailed in the plan and schedule appended to the report as Appendices 1 & 2 respectively.

Following consideration the Committee agreed to:

- (i) instruct the Director of Environmental Services and the Chief Legal Officer to carry out the statutory process for the proposed Road Traffic Regulation Order to alter the existing Waiting Restrictions on Morriston Road, Elgin; and
- (ii) instruct the Director of Environmental Services and the Chief Legal Officer to make and implement the order if, following the consultation period, there are no outstanding objections.

13. UPDATE ON CAR PARK INCOME AND USE

Under reference to Paragraph 7 (ii) of the Minute of this Committee dated 19 October 2010 there was submitted a report by the Director of Environmental Services inviting the Committee to note changes to car park income in Elgin during the first eight months and car park usage over the first months of this financial year compared with the same period last financial year.

Following consideration the Committee noted changes to Pay and Display Income from Elgin car parks over April to November 2010 compared with the same period during 2009 following the increase in charges from 1 April 2010.

14. FLOOD RISK MANAGEMENT (MINOR CAPITAL SCHEMES)

There was submitted a report by the Director of Environmental Services inviting the Committee to note the latest position regarding the Flood Risk Management (Minor Capital Schemes) and the latest predicted final cost. The report also sought approval for the reallocation of funds based on the latest predicted final costs, details of which were set out in Section 3 of the report.

Following consideration the Committee agreed to:

- (i) note the latest position regarding of Flood Risk Management (Minor Capital Schemes) and the latest predicted final costs; and
- (ii) approve the reallocation of funds based on the latest predicted final costs.

15. 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 roads specified in the schedule in the attached Appendix to the statutory list of Public Roads.

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

16. PERFORMANCE ANALYSIS : QUARTER 2 : JULY TO SEPTEMBER 2010

There was submitted a report by the Director of Environmental Services providing the Committee with an outline of performance of the service for the period 1 July to 30 September 2010. The report also sought Committee approval to revise the due date for the Service Improvement Plan action 'Preparation of the second Moray Local Transport Strategy' from 31 December 2010 to 31 March 2011 and to move the action 'Complete a pilot parking study for parking Elgin' to the 2011/12 Service Improvement Plan.

Following consideration the Committee agreed:

- (i) to note the performance analysis for Quarter 2 for the period 1 July to 30 September 2010;
- (ii) that the due date for the Service Improvement Plan action 'Preparation of the second Moray Local Transport Strategy' be revised from 31 December 2010 to 31 March 2011; and
- (iii) to move the action 'Complete a pilot parking study for parking Elgin' to the 2011/12 Service Improvement Plan.

17. QUESTION TIME

Councillor Wright referred to a complaint he had received from a Burghead resident regarding the disappearance of the road markings at the junction of B9103 and the A96 and then the left and right to Miltonduff junction and sought clarification as to who is responsible for the markings. The meeting noted that the markings in the centre of the A96, the right turning and ghost island, are the responsibility of BEAR Scotland (BEAR). The give way signage on the side roads off trunk roads however is an issue where there is disagreement between BEAR and local authorities and whilst discussions are ongoing there is no agreement to date. Re-painting of the road markings are often carried out when resurfacing works are being carried out on the trunk road or side roads or by the council if road safety is being compromised. In noting the position the Head of Direct Services undertook to request the Roads Maintenance manager to liaise with BEAR to establish if either party is carrying out work.

Councillor Divers referred to the recent Scottish Government announcement in regard to flood alleviation funding and understood that Moray is to receive £18m against a requirement for £30m and sought clarification as to what the £18m was for and what the other £12m requirement was for.

The meeting noted that the Council has received a breakdown from the Scottish Government of the various strands of the Council's General Capital Grant, which includes the elements for flooding, however the Council does not have the rationale behind the calculations. In this regard the Council's Chief Financial Officer was attending a CoSLA briefing on the issue and it was hoped that the matter will be clarified in early course.

The Chairman, Councillor Russell referred to a number of responses from taxi operators and drivers to the Elgin Town Centre traffic management proposals expressing concern in regard the taxi operator licences being granted bearing in mind the number of taxi stances in the town centre. Whilst noting that the issue of licences was a matter for the Licensing Committee his concern and reason for raising the issue at this Committee was road safety concerns. This issue was also raised as a question by Councillor Leadbitter. It was agreed that a report be submitted to a future meeting of the Committee on the road safety issues with a view to making a recommendation to the Licensing Committee should it be considered appropriate following consideration of the report.

Councillors Shepherd & Paul enquired as to when grit boxes in will be refilled given the impending weather forecast for the Moray area. It was noted that whilst it was understood that the refilling of grit boxes is ongoing during the winter months the Roads Maintenance Manager will be made aware of members concerns.

On the conclusion of this item Councillor Wright left the meeting.

18. ENVIRONMENTAL SERVICES REVENUE BUDGET: QUARTER 2 MONITORING REPORT FOR TRADING ACCOUNTS [PARA 6]

There was submitted a report by the Director of Environmental Services informing Committee of the progress of Trading Accounts against revenue budgetary targets for the financial year 2010/11 during the period 1 April 2010 to 31 March 2011.

Following consideration the Committee agreed to note the position of the Trading Operations for the period 1 April 2010 to 30 September 2010 as detailed in the report.