

THE MORAY COUNCIL

MINUTE OF MEETING OF THE ECONOMIC DEVELOPMENT & INFRASTRUCTURE SERVICES COMMITTEE

TUESDAY 13 MARCH 2012

COUNCIL OFFICE, ELGIN

PRESENT

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

ALSO PRESENT

Councillor F Murdoch

APOLOGY

An apology for absence was intimated on behalf of Councillors J Hamilton.

IN ATTENDANCE

The Corporate Director (Environmental Services), The Head of Direct Services, the Head of Development Services, the Transportation Manager, the Roads Maintenance Manager, the Consultancy Manager, the environmental Protection Manager, the Planning & Economic Development Manager, the Libraries & Museums Manager in respect of item 4, A Duff, Senior Engineer (Traffic), L Paisey, Principal Accountant, A McEachan, Legal Services Manager (Property & Contracts), D Duncan, Principal Planning Officer (Planning & Development) and the Senior Committee Services Officer, Clerk to the Meeting.

1. DECLARATION OF GROUP DECISIONS

In terms of Standing Order 20 and the Councillors' Code of Conduct Councillor Leadbitter declared a personal interest in item 19 (a) 'Elgin Western Distributer Road : Capital Plan 2012/13 & Project Execution Plan'. The meeting noted 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 Items 14 'Flood Risk Management (Capital & Revenue) Progress and 2012/13 Budget' & 19 (d) 'Flood Risk Management: Lower Spey & Kingston' together.

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>
26	3
27	8
28	8
29	6, 9 & 12
30	9

3. WRITTEN QUESTIONS

There were no written questions.

EUROPEAN PIPE BAND CHAMPIONSHIPS 2013-2015

Prior to considering the business on the agenda and on the invitation of the Chairman, Councillors Bell & Ogilvie referred to the recent announcement in the media that Forres is to host the European Pipe Band Championships for the years 2013, 2014 & 2015 which will tie in with Scottish Week and the Forres Highland Games and will benefit not only Forres but the whole of Moray with a projected economic benefit in excess of £1m. The meeting noted that the Council had previously agreed at the meeting of this Committee on 28 June 2011 (para 5 of the Minute refers) to contribute £35,000 towards a series of major Pipe Band Championships over a four years period.

4. CASTLE TO CATHEDRAL TO CASHMERE: ELGIN HERITAGE TRAIL

Under reference to Paragraph 8 of the Minute of this Committee dated 24 January 2012 there was submitted a report by the Corporate Director (Environmental Services) presenting the outcomes and recommendations of the development phase of the Elgin Heritage trail, the Conservation Area Appraisal, Management, Action and Interpretation Plan and seeking approval for the next phase of the project.

On the invitation of the Chairman, Andrew Wright, Consultant, gave a presentation on his findings relative to the Elgin the Conservation Area Appraisal and thereafter, along with the Libraries & Museums Manager, responded to member's questions during which it was noted that consideration will be given to extraction appropriate parts of the supporting documentation on the story of Elgin's past with a view to publishing them in an available format. On the conclusion of the presentation the chairman, on behalf of the Committee, thanked Mr Wright for his interesting and informative presentation.

Following consideration the Committee agreed to:

- (i) acknowledge and note the Elgin High Street Conservation Area Appraisal, Management and Action Plan;
- (ii) developing funding applications for implementing the recommendations of the Conservation Area Appraisal, Management and Action Plan; and
- (iii) refer the recommendations in relation to the Conservation Area Appraisal, Management and Action Plan of this Committee to the Planning and Regulatory Services Committee.

5. EUROPEAN FUNDING

There was submitted a report by the Corporate Director (Environmental Services) in response to the Committee's request to provide an update on the outcomes of European funding applications and to agree to further maximise allocated European Regional Development Funding (ERDF) and/or European Fisheries Fund (EFF) with the recently announced Coastal Communities Fund.

During discussion it was noted that the recommendation set out in the report required to amend to include the proposed delegation outlined in Section 4.6 of the report.

Following consideration the Committee agreed:

- (i) to note the contents of the report including progress of European Funding applications and awards from the 2007-2013 programmes;
- (ii) to approve the development and submission of a potential funding application to the Coastal Communities Fund; and
- (iii) that the Corporate Director (Environmental Services) be granted delegated authority, in consultation with the Chair & Depute Chair of this Committee, to submit an expression of interest on behalf the community partnerships (FLAG and other emerging project proposals) as the turn-around between opening and closing the stage 1 application process does not allow for the submission of a report to Committee and to note that, if successful, the full application and business plan will be submitted to the appropriate Committee of the Council, following the local government elections in May 2012, for approval.

6. TOMINTOUL & GLENLIVET REGENERATION PROJECT

There was submitted a report by the Corporate Director (Environmental Services) in response to a request from the Cairngorms National Park Authority (CNPA) for the Tomintoul and Glenlivet Regeneration Area to be identified as a key priority in the Moray Economic Strategy; for support in the form of funding and resources from Moray Council as a partner to the emerging regeneration strategy and action plan for the Tomintoul and Glenlivet Area. In particular to part fund the provision of a Community Development Officer to take forward the action plan.

On the invitation of the Chair, Councillor Murdoch, one of the three Ward Members not on the Committee expressed her support for the proposal and urged the Committee to approve the recommendations shared the views expressed by Councillor Paul particularly in regard to the benefits a similar proposal has brought to the Cabrach area.

Following consideration the Committee agreed to:

- (i) note the contents of the report and consider the request for funding from CNPA for £45,000 (£15,000 2012/13 – 2014-15) for a Community Development Officer to support the creation of a Community Development Trust for the Tomintoul Glenlivet Area; and
- (ii) that should the Committee approve recommendation (i) above it be referred to the Policy and Resources Committee for approval, as it impacts on budget planning beyond this financial year.

7. TRANSPORTATION REQUIREMENTS: FURTHER INFORMATION FOR DEVELOPERS

There was submitted a report by the Corporate Director (Environmental Services) highlighting to Committee the trend of transportation aspects raised in planning consultations and presented a proposal to raise awareness and improve information received in respect of new development proposals.

Following consideration the Committee agreed: -

- (i) that the Corporate Director (Environmental Services), in consultation with the Chair of this Committee, be granted delegated authority to prepare and publish additional information for prospective developers covering the three key transportation topics identified as barriers for development proposals: (a) Visibility Display; (b) Passing Places; (c) Development Impact Assessment and Mitigation; and
- (ii) that the additional information be provided to all prospective developers via the Council web site and electronically on request.

8. REVIEW OF TRANSPORTATION DEVELOPER CONTRIBUTIONS (PARKING & PASSING PLACES)

There was submitted a report by the Corporate Director (Environmental Services) detailing the outcome of a review of current developer contribution values and sought approval of proposed revised sums for parking spaces and passing places, details of which were set out in the report. Details of the current and proposed revised developer contributions were set out in Section 3.13 of the report and cost evaluation information had been placed on the Members' Portal.

The meeting noted that for the majority of planning applications the developer provides all infrastructure requirements for the proposed development which is

secured through appropriate planning conditions. However, in some instances the requirement for passing places and parking spaces are dealt with through the mechanism of developer contributions and the costs associated with the provision of parking spaces and passing places has been reviewed, including legal and professional fees, associated with securing third party land, and construction costs.

Following consideration the Committee agreed to defer consideration of the report and in the interim the Corporate Director (Environmental Services) to undertake a review of the mechanisms relating to the delivery of developer contributions with a view to reporting to a future meeting of the Planning & Regulatory Services Committee to include clarification in regard to elected member involvement in identifying community projects which could be funded through developer contributions and a members seminar/briefing session.

9. ROADS ASSET MANAGEMENT PLAN

There was submitted a report by the Corporate Director (Environmental Services) inviting the Committee to note the content of the Council's first Roads Asset Management Plan (RAMP), a copy of which was appended to the report. The report summarised the Plan and advised that RAMP is essentially a summary supported by 5 lifecycle plans covering 5 asset groups and an improvement action plan, copies of which have been placed on the Members' Information Portal

During discussion the meeting noted that the two bridges referred to in section 4.12 of the report are Arthurs Bridge and the Boat O'Brig and that in regard to the Boat O'Brig an option appraisal was currently being carried and that the strategic importance of this bridge being the alternative crossing of the River Spey for the A96 will be taken into account in respect of future planned works.

Following consideration the Committee agreed to:

- (i) note the content of the Roads Asset Management Plan; and
- (ii) the publication of the plan on the internet.

10. CAPITAL PLAN 2012/2013

There was submitted a report by the Corporate Director (Environmental Services) seeking Committee approval for a number of projects in the Capital Plan for 2012/2013 as detailed in Appendix 1 to the report.

The Head of Direct Services referred to the reference in appendix 1 to the allocation of £40,000 for works on the Ballindalloch Viaduct. He advised the meeting that works have currently been suspended given the nature of the damage and necessary repairs to the viaduct. The meeting noted that it had now been ascertained that the cost of the works will be in the region of £130,000 and whilst there was insufficient funds in the Capital Plan other slippages within the bridges allocation had been identified and therefore the Head of Direct Services invited the Committee to consider recommending to the next meeting of the Policy & Resources Committee

an adjustment to the existing budget allocation to cover the cost of the works to the Ballindalloch Viaduct given the higher priority of works.

During discussion it was noted that a review of the Council's current policy on road signage, including tourism signage, was currently being undertaken and that a report on the outcome will be submitted to the appropriate Committee of the Council following the local government elections in May 2012. Reference was also made to the current position relating to the decision of the Policy & Resources Committee on 21 February 2012 (para 10 (ii) refers) when it was agreed that a report on the economic case for refunding expenditure on repairs to the Fisherman's Hall, Buckie to the Buckie Common Good Fund would be submitted to a future meeting of this Committee and the meeting noted that work on the report was progressing and that it was hoped to submit the report to the meeting of the Council on 4 April 2012.

Following consideration the Committee agreed to:-

- (i) approve the expenditure for 2012/2013 on each of the Capital projects listed in Appendix 1 of the report; and
- (ii) recommend to the next meeting of the Policy & Resources Committee an adjustment to the existing capital budget allocation for bridges to cover the increased cost of the works to the Ballindalloch Viaduct.

11. REVENUE BUDGET 2012/2013 ROADS MAINTENANCE: CAPITAL BUDGET 2012/2022 – RESURFACING, BRIDGES, PASSING PLACES, LIGHTING COLUMN REPLACEMENT AND LIGHTING IMPROVEMENTS

During discussion on this item Councillor McIntyre joined the meeting.

There was submitted a report by the Corporate Director (Environmental Services) seeking Committee approval of detailed plans for the expenditure of funds allocated from the Revenue Budget 2012/2013 to roads maintenance and from the Capital Budget 2012/2022 to resurfacing/reconstruction/surface dressing, bridges, footways, drainage, passing places, lighting column replacement, hydro network alterations and lighting improvements, details of which were set out in Appendices 1, 2 & 3 to the report. There was also appended to the report as a supplementary note relating to energy reduction in street lighting.

During discussion reference was made to Section 5.25 of the report and the Committee agreed that a debate on issues surrounding Private (Unadopted) Roads would be beneficial and a report thereon should be submitted to a future meeting. It was also noted that a winter maintenance follow-up review report will be submitted a future meeting of the appropriate Committee following the local government elections in May 2012. In regard to street lighting maintenance the meeting noted that there are major savings to be had if lighting systems can be made more reliable and long lived. Whilst LED lighting manufacturers are not yet prepared to offer such guarantees, it is widely anticipated within the profession that such lighting should give burning hours up to 20 years. LED lighting is still under development with manufacturers continuing to improve the light output for similar power levels. Consideration will be given when a viable business case can be made for investing

in LED lighting, offset by reduced energy and maintenance costs over 20 years. In regard to increasing energy costs the meeting also noted that CoSLA was seeking a meeting with the Chairman of Ofgen to express their extreme concern in regard to this issue and would also be writing to the appropriate energy companies.

Following consideration the Committee agreed:

- (i) to approve the detailed allocation of funds, from the Revenue Budget 2012/2013 to Roads Maintenance activities, as detailed in APPENDIX 1 of this report;
- (ii) that the capital allocations for carriageway resurfacing/reconstruction and for surface dressing are combined to allow an appropriate mix of such works to minimize whole life cost and to agree the allocation of these funds, as detailed in Appendix 1 of this report. Such works will be in accordance with the Prudential Code for Capital Finance in Local Authorities;
- (iii) that the capital allocation for drainage and ironworks becomes the allocation for drainage and other works;
- (iv) to grant delegated authority to the Roads Maintenance Manager to proceed with necessary roads maintenance works whilst noting that the Roads Maintenance Manager will, as soon as possible, publish a main list of schemes, which can be funded by the budget provision recommended in this report, and a reserve list of desirable schemes, which cannot presently be funded, along with a list of projects to be funded from the Capital allocation;
- (v) to note that the list of schemes will be drawn up in accordance with the principles and objectives detailed in this report, in the Roads Asset Management Plan (see separate report to this Committee), and in the Capital Plan 2012-2022 reported to the Moray Council on the 17 January 2012;
- (vi) to grant delegated authority to the Roads Maintenance Manager to approve, in the event of any project being unable to proceed, the substitution of high priority schemes as replacements;
- (vii) to grant delegated authority to the Roads Maintenance Manager to amend the programme of planned works should works of higher priority emerge, due, for example, to a sudden deterioration in condition, to the consequential effects of winter or flooding; and
- (viii) to note that a discussion report on issues surrounding Private (Unadopted) Roads will be submitted to a future meeting of the appropriate Committee following the local government election in May 2012.

12. REVENUE BUDGET 2012/13

(i) Car Parks

There was submitted a report by the Corporate Director (Environmental Services) seeking Committee approval of the proposed Revenue Budget 2012/2013 programme for car park repair maintenance, details of which were set out in Appendix 1 to the report. There was also appended to the report as Appendix 2 details of the reserve list.

Following consideration the Committee agreed to approve the programme of works for 2012/2013 as set out in Appendix 1 to the report.

(ii) Harbour Maintenance

There was submitted a report by the Corporate Director (Environmental Services) seeking Committee approval of the proposed Revenue Budget Programme for 2012/2013 Harbour Maintenance, details of which were set out in Appendix 1 to the report. There was also appended to the report as Appendix 2 details of the reserve list.

Following consideration the Committee agreed to approve the Revenue Budget 2012/2013 Harbour maintenance as detailed in Appendix to the report.

13. URBAN FREEDOM (ELGIN) ACTIVE TRAVEL DATA

There was submitted a report by the Corporate Director (Environmental Services) inviting the Committee to note the completion of the current phase of active travel improvements in Elgin and the resulting increases in modal share for walking share for walking and cycling within the area. There were appended to the report as Appendices 1 & 2, respectively a copy of the Network Map and details of modal share for walking and cycling within the area.

Following consideration the Committee noted the contribution made by the recent active travel improvements towards achieving the Council's single outcome agreements and carbon management commitments and instructed the Head of Direct Services to continue collecting the required data on an annual basis to show continuing trends in active travel.

14. FORRES, BUCKIE & KEITH: ACTIVE TRAVEL REPORT

There was submitted a report by the Corporate Director (Environmental Services) updating the Committee regarding the Active Travel Audits for Buckie and Keith and the successful funding settlement from the European Regional Development Fund and Sustrans to deliver prioritised measurements identified in these audits. The report also updated the committee in regard to the Forres Active Travel Audit, a copy of which had been placed on the Members' Portal, and the stage 1 application to the Highlands & Islands Partnership Programme for ERDF funding to deliver prioritised measures identified in the audit. A copy of the Forres Active Travel Audit Executive Summary was appended to the report

During discussion the meeting noted that Ward members will be consulted in regard to the composition of the proposed community based steering groups for Buckie & Keith and that the funding referred to in Section 4 (c) of the report related to the delivering the projects and that future maintenance costs required to be borne by the Council.

Following consideration the Committee agreed to:-

- (i) note the content of the draft Forres Active Travel Audit and approved the use of this audit to deliver the priorities should the funding bid to the Highlands and Islands Partnership Programme be successful. The Committee also noted the funding secured from the European Regional Development Fund and fro Sustrans and approved the establishment of a community-based steering group in Buckie and Keith; and
- (ii) that future reports inviting the Council to consider sustainable travel projects include a figure for future maintenance costs.

15. PROPOSED TRAFFIC REGULATION ORDER: VARIOUS STREETS, NEW ELGIN

Under reference to Paragraph 19 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 over-rule an outstanding objection and proceed to approve Road Traffic Regulation Order “The Moray Council (Various Streets, New Elgin – Prohibition of Waiting) Order 2011”. The effect of the Order is to introduce waiting restrictions as detailed in Appendix 1 to the report and as shown on the location plan Appendix 2 to the report. There was also appended to the report as Appendix 3 details of the correspondence received to the public consultation.

Following consideration the Committee agreed to:

- (i) over-rule the outstanding objection received; and
- (ii) instruct the Head of Legal and Democratic Services to make the order.

16. PROPOSED TRAFFIC REGULATION ORDER: PROHIBITION OF RIGHT TURN: LINKWOOD WAY, ELGIN

There was submitted a report by the Corporate Director (Environmental Services) seeking Committee approval for the promotion of a Traffic Regulation Order which will prohibit the right turn exit from Linkwood Way, Elgin onto the A96 East Road, as detailed in Appendix 1 and shown in the plan Appendix 2 to the report.

Following consideration the Committee agreed to:

- (i) approve the proposed Traffic Regulation Order to introduce a restriction that prohibits traffic turning right from Linkwood Way, Elgin onto the A96 East Road and instruct the Head of Direct Services and the Head of Legal and Democratic Services to proceed with the statutory process; and

- (ii) instruct the Head of Direct Services and the Head of Legal and Democratic Services to make and implement the Order if, following the consultation period, there are no outstanding objections.

17. PROPOSED TRAFFIC REGULATION ORDER: SCHOOL ROAD, KEITH

There was submitted a report by the Corporate Director (Environmental Services) asking the Committee to approve the commencement of the statutory process to implement a Traffic Regulation Order for School Road in Keith which will have the effect of removing motorised vehicles from the narrow section of School Road at Drum Road and restricting waiting on the remainder of School Road as detailed in Appendix 1 and shown in plan Appendix 2 of the report.

During discussion and whilst happy for the proposal to go out to consultation Ward Members expressed their concerns in regard to the potential impact this proposal, if approved, will have, in terms of road safety, on the Banff Road/Church Road junction, and on the access/ egress to/from Keith Primary School and requested that as part of the consultation process officers of the Council and representatives of BEAR and Transport Scotland meet with Ward Members to discuss these concerns.

Following consideration the Committee agreed to:

- (i) approve the proposal to introduce a prohibition of motor vehicles and introduce new and alter existing waiting restrictions on School Road and Drum Road, Keith as detailed in schedule Appendix 1 and plan Appendix 2 to the report and instructed the Head of Legal and Democratic Services and the Corporate Director (Environmental Services) to proceed with the statutory process and;
- (ii) instruct the Head of Legal and Democratic Services to make the Order in the event there are no unresolved objections to the proposals.

18. ELGIN WESTERN DISTRIBUTOR ROAD: CAPITAL PLAN 2012/13 & PROJECT EXECUTION PLAN

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

There was submitted a report by the Corporate Director (Environmental Services) seeking Committee approval of the proposed Project Execution Plan for the delivery of the Western Distributor Road (WDR) and the detailed allocation of budget from the Capital Plan 2012/13. A copy of the Project Execution Plan was appended to the report.

During discussion it was noted that whilst reference was made in the report and the Plan to the development of a stakeholder engagement strategy being developed in consultation with stakeholders there was no reference in the report recommendations and it was agreed that the recommendations be amended accordingly.

Following consideration the Committee agreed:

- (i) approve the Project Execution Plan for the WDR as detailed in the appendix to the report;
- (ii) to approve the 2012/13 Capital Plan allocation for the Western Distributer Road as outlined in Section 4 (c) of the report;
- (iii) that EC Harris, commissioned under their Government Buying Solutions Framework Contract for the Moray Flood Alleviation Schemes, undertake similar service for this project; and
- (iv) to note that a stakeholder engagement strategy will be developed in consultation with stakeholders.

On the determination of this item Councillor Leadbitter rejoined the meeting.

19. CAR PARKING CHARGES: ELGIN

Under reference to Paragraph 2 of the special meeting of the Council dated 9 February 2012 there was submitted a report by the Corporate Director (Environmental Services) inviting the Committee to consider information on setting out a revised model car parking charges in Elgin.

During discussion it was noted that a patron may return at any time before expiry of a car parking period purchased and purchase another ticket without requiring to vacate the space and return at a later time. It was also noted that given the variance in views expressed in regard to car parking charges in Elgin that prior to undertaking a full review a report will be submitted to a future meeting of the appropriate Committee following the local government elections in May 2012 on the scope of the review.

Thereafter Councillor Russell, seconded by Councillor Divers, moved that the Committee agree to recommend to the Policy & Resources Committee a reduction in the 2 – 4 hours parking charge in Elgin from £3 to £2.

As an amendment Councillor Wright, seconded by Councillor Leadbitter, moved the status quo pending the outcome of the review.

On a division there voted:-

For the Motion (2)

Councillors Divers & Russell

For the Amendment (10)

Councillors Cree, Bell, Coull, Leadbitter, G McDonald, G McIntyre, Ogilvie, Paul, Shepherd & Wright.

Abstentions (0)

Accordingly the amendment became the finding of the meeting and it was agreed that the status quo remain pending the outcome of the review.

20. IMPLEMENTATION PLAN FOR THE FLOOD RISK MANAGEMENT (SCOTLAND) ACT 2009

Under reference to Paragraph 19 of the Minute of this Committee dated 28 June 2011 there was submitted a report by the Corporate Director (Environmental Services) seeking Committee approval of an Implementation Plan for the provisions of the Flood Risk management (Scotland) Act 2009 (the Act) and to note that funding of the staffing and financial duties of the Plan will be considered by the Policy & Resources Committee in conjunction with other budget pressures in the Revenue Budget 2012/13. A copy of the Implementation Plan Executive Summary was appended to the report as Appendix 1

Following consideration the Committee agreed to:-

- (i) note the arrangements for implementing the Act Local Plan Districts and governance options;
- (ii) note that the Scottish Government has confirmed that the Council will be lead local authority for the Findhorn, Nairn and Strathspey Local Plan District, while Aberdeenshire Council will lead the North East District;
- (iii) ratify the Council's acceptance of the above;
- (iv) note the recently announced statutory timetable for assessing surface water flood risk and mapping water bodies;
- (v) approve the Implementation Plan for the Act; and
- (vi) note that funding for duties under the Act will be considered by Policy & Resources Committee in conjunction with other budget pressures noted in the Revenue Budget for 2012/13.

21. FLOOD RISK MANAGEMENT (CAPITAL & REVENUE) PROGRESS & 2012/13 BUDGET & LOWER SPEY & KINGTSON

There was submitted a report by the Corporate Director (Environmental Services) inviting the Committee to note the latest position regarding the Flood Risk Management (Minor Capital Schemes) and to approve the Revenue Budget 2012/13 and authorise expenditure. Details of proposed works and reserve lists relating to Fluvial Flood Risk works and Coastal Flood Risk were appended to the report. Under reference to Paragraph 3 of the Minute of the meeting of the Council dated 15 February 2012 there was also submitted a report by the Corporate Director (Environmental Services) inviting the Committee to consider measures to reduce erosion and flood risk to Garmouth and Kingston and recommend to Policy and Resources Committee that appropriate funding be made available. There was also submitted a supplementary note advising of the progress made in discussing and

agreeing river works with affected parties and Regulator Organisations, and that The Crown Estate has agreed to contribute towards the cost of these works.

During discussion consideration was given to including the cost of the measures to reduce erosion and flood risk to Garmouth and Kingston in the Fluvial Flood Risk Budget expenditure for 2012/13 at the expense of proposed projects at Lhanbryde & Dyke. The meeting also noted that the proposals for the Fife-Keith Flood Alleviation Scheme had been amended following a meeting with Keith Golf Club and the Consultancy Manager undertook to advise Ward Members, outwith the meeting, of the likely start date. In noting that that pipe outfall repairs at the golf course road in Rothes had been moved to 2012/13 the Consultancy Manager undertook to provide further information on this item at the Flood Sub-Committee meeting on Wednesday 14 March 2012.

Following discussion Councillor Paul, seconded by Councillor G McDonald, moved that the Committee agree to recommend to the Policy & Resources Committee that the cost of the measures to reduce erosion and flood risk to Garmouth and Kingston be met from the reserves.

Suspension of Standing Orders (12.45 pm)

During discussion of this item the meeting agreed to suspend Standing Order 76 and conclude this item prior to breaking for lunch.

Following further discussion the meeting agreed to support the motion and approve the recommendations set out in both reports. With the agreement of her seconder Councillor Paul withdrew her motion and the Committee agreed to:-

- (i) note the latest position regarding Flood Risk Management (Minor Capital Schemes);
- (ii) approve the Revenue Budget for 2012/13 (Flood Risk Management) and authorise expenditure;
- (iii) undertake measures on the River Spey as set out in the supplementary note to the report as soon as practicable;
- (iv) continue monitoring by topographical survey and aerial photography of the River Spey and nearby coastline;
- (v) work with the community and agencies to consider the effectiveness of any measures taken on the River Spey and consider a programme of annual measure ; and
- (vi) recommend to Policy and Resources Committee that provision be made in the Revenue Budget for 2012/13 to meet the cost of the Council's contribution towards the cost of measures to reduce erosion and flood risk to Garmouth and Kingston as set out in the supplementary note.

ADJOURNMENT OF MEETING

The meeting agreed to adjourn (12.50 p.m) and reconvene at 2.05pm

RESUMPTION OF MEETING

The meeting reconvened at 2.05 p.m.

PRESENT

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

ALSO PRESENT

Councillor F Murdoch

APOLOGY

An apology for absence was intimated on behalf of Councillors G McIntyre

IN ATTENDANCE

The Corporate Director (Environmental Services), The Head of Direct Services, the Transportation Manager, the Environmental Protection Manager, the Estates Manager, the Design Manager (Housing & Property) E Webster, Planning Officer (Planning & Development), L Paisey, Principal Accountant, E Carle, Solicitor (Property & Contracts) and the Senior Committee Services Officer, Clerk to the Meeting.

22. HOUSING & PROPERTY: DESIGN AND PROPERTY RESOURCES PERFORMANCE REPORT: QUARTER 3: OCTOBER TO DECEMBER 2011

There was submitted a report by the Corporate Director (Environmental Services) outlining to Committee the performance of the service for the period 1 October to 31 December 2011, details of which were set out in the report.

Following consideration the Committee agreed to:

- (i) Welcome the good performance as indicated in the report;
- (ii) note the performance outlined in the report; and
- (iii) note the actions being taken to seek improvements where required.

23. DIRECT SERVICES PERFORMANCE ANALYSIS: QUARTER 3: OCTOBER TO DECEMBER 2011

There was submitted a report by the Corporate Director (Environmental Services) outlining to Committee the performance of the service for the period from 1 October to 31 December 2011, details of which were set out in the report. There was also appended to the report as Appendices 1 & 2 respectively details of Revenue Budget progress for the period April 2011 to December 2011 and capital projects that may have slipped or been postponed during the current financial year.

Following consideration of the report the Committee agreed to:

- (i) note the performance against Economic Development and Infrastructure Performance Indicators, Service Improvement Plan, Revenue and Complaints at the end of December 2011 as outlined in the report;
- (ii) welcome the good performance as indicated in the report; and
- (iii) note the actions being taken to seek improvements where required.

24. QUESTION TIME

Councillor Ogilvie enquired as to the current position regard the proposal to reduce the speed limit through Upper and Lower Rafford and the meeting noted that this was part of a review of speed limits across Moray which had been listed in order of priority and the work would be undertaken as soon as practical.

Councillor Russell referred to a previous decision of the Committee in regard to the Craigellachie Bridge 200th anniversary celebrations when it noted that a report would be submitted to a future meeting of the Committee once proposals had been further developed and it was noted that the matter will be researched and a report submitted to the next meeting of the appropriate Committee following the local government elections in May 2012.

Councillor Paul enquired as to the current position regard the proposal to reduce the speed limit through Tomnavoulin and Drummuir and in noting that this was part of a review of speed limits across Moray referred to earlier in response to a question from Councillor Ogilvie the Corporate Director (Environmental Services) undertook to investigate the matter and advise Councillors Ogilvie and Paul of the current position as soon as possible.

TRIBUTE TO HEAD OF DIRECT SERVICES

The meeting joined the Chairman in paying tribute to Sandy Ritchie who was retiring from the post of Head of Direct Services after 38 years local government service and wished him a long and happy retirement.

25. MAINTENANCE OF GROUND NOT IN COUNCIL OWNERSHIP [PARA 3]

Under reference to Paragraph 2 (ii) of the Minute of the special meeting of the Council dated 5 February 2011 and Paragraph 5 (ii) of the Minute of the meeting of the Council dated 15 February 2012 there was submitted a report by the Corporate Director (Environmental Services) asking the Committee to consider how charges for maintenance of ground not in Council ownership are to be implemented following feedback from landowners/managers of the sites. A full list of the sites was appended to the report as Appendix 1.

During discussion concern was expressed in regard to the lack of response from the Crown Estates agents and it was agreed that the Crown Estate Commissioners should be contacted direct regarding this matter.

Following consideration the Committee agreed:

- (i) to note the information contained in the report regarding maintenance of ground not in Council ownership;
- (ii) not charge 'Not for Profit' organisations and achieve the £23,000 savings through a review of maintenance specifications for all sites identified in the report and other Council owned sites of low amenity value taking into account the amenity value of the site and that the review include sites which were previously excluded from the list of areas maintained ;
- (iii) note that adoption of this option is unlikely to achieve the full £23,000 revenue budgets in 2011/12 as grounds maintenance work has already been undertaken for the year; and
- (iv) that an appropriate press release on the Committee's decision be issued

26. OFFSHORE RENEWABLES: BUCKIE HARBOUR [PARA 8]

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) informing Committee on the offshore windfarm developments in the Moray Firth, the possibilities this may present for Moray specifically in relation to accommodating operations and maintenance (O&M) at Buckie and the work to-date by the Offshore Renewable Officer Working Group in facilitating potential operator requirements.

During discussion it was noted that, if necessary, consideration could be given to the capital in the Buckie Common Good Fund being utilised to facilitate match funding of potential European funding. Reference was also made to the All Energy 2012 Exhibition & Conference to be held in Aberdeen on 23/24 May 2012 at which the Council will have a dedicated stand.

Following consideration the Committee agreed: -

- (i) to endorse the content of the report;

- (ii) to support further partnership working through the offshore renewable officer working group to facilitate the offshore wind energy industry's requirements in Moray;
- (iii) to note that a further report will be submitted at a future date, advising of subsequent work undertaken;
- (iv) to approve the use of £300,000 from the capital budget for economic development at harbours from 2011/12 to 2014/15 as required as match-funding for the ERDF grant for this project; and
- (v) that the three Buckie Ward members elected at the local government elections on 3 May 2012 be invited to visit the exhibition and Council stand at the All Energy 2012 Exhibition & Conference to be held in Aberdeen on 23/24 May 2012

27. INDUSTRIAL PORTFOLIO: CAPITAL DEVELOPMENTS [PARA 8]

There was submitted a report by the Head of Housing and Property seeking Committee approval of proposals for the development of the industrial portfolio set out in Sections 7.14 to 7.20 of the report. There were also appended to the report as Appendices I, II & III respectively, a summary of the progress of the currently approved industrial portfolio capital programme and details of the capital allocations approved by the Council at the special meeting of the Council on 17 January 2012 (Para 2 of the Minute refers). A detailed update of the current projects, proposed amendments and new development proposals were set out in the report

During discussion, during which officers responded to Members' questions, the meeting noted that the provision of opportunity sites for potential industrial units in the Speyside area would be an issue for consideration in the preparation of the new Local Plan.

Following consideration the Committee agreed to approve the industrial capital development projects, summarised in the Sections 7.14 to 7.20 of the report, subject to officers reporting back to the Committee for approval of those projects where proposals have yet to be fully developed and in particular the sub-division of Unit Q at Isla Bank Mills, Keith if it is not taken up by a current interested party as a whole unit.

28. PROPERTY AT 28 WEST ROAD, GRESHOP INDUSTRIAL ESTATE, FORRES [PARAS 6, 9 & 12]

Under reference to Paragraph 24 of the Minute of this Committee dated 24 January 2012 there was submitted a report by the Corporate Director (Environmental Services) providing additional information on the proposed disposal of 28 West Road, Forres by way of a long ground lease. A location plan of the site was appended to the report.

Following consideration the Committee agreed to recommend to the Policy & Resources Committee that they agree to the:

- (i) Council carrying out the outstanding dilapidations at 28 West Road, Forres and pursuing the former tenant for recovery of the costs; and
- (ii) disposal of the property (upon completion of the outstanding dilapidations works) on the open market by way of a long ground lease, whilst concurrently pursuing the former tenant for recovery of the dilapidation costs.

**29. ENVIRONMENTAL SERVICES REVENUE BUDGET: QUARTER 3
MONITORING REPORT FOR TRADING ACCOUNTS [PARA 9]**

There was submitted and noted a report by the Corporate Director (Environmental Services) informing Committee of the progress of Trading Accounts against revenue budgetary targets for the financial year 2011/12 during the period 1 April 2011 to 31 December 2011, as detailed in the report.