

THE MORAY COUNCIL

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

TUESDAY 29 OCTOBER 2013

COUNCIL OFFICE, ELGIN

PRESENT

Councillors J Cowe, (Chair), F Murdoch (Depute), G Coull, S Cree, L Creswell, G Leadbitter, G McDonald, A McLean, P Paul, D Ross, R Shepherd and A Wright.

APOLOGIES

Apologies for absence were intimated on behalf of Councillor J Divers

IN ATTENDANCE

The Corporate Director (Environmental Services), the Head of Direct Services, the Head of Development Services (Items 1 – 5), the Transportation Manager, the Roads Maintenance Manager (Items 1 – 5), Mr S Williamson Waste Management Officer, the Senior Engineer Traffic, the Senior Engineer Transport Development, the Quality Management Systems Officer (Items 1 – 5), the Consultancy Manager (Items 1 – 5), Mr A McEachan, Legal Services Manager (Property & Contracts) and the Democratic Services Manager as 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 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 or any declarations of Members Interest in respect of any Item on the Agenda.

2. WRITTEN QUESTIONS

There were no written questions submitted.

**3. DIRECT SERVICES CAPITAL AND REVENUE BUDGET MONITORING 30
SEPTEMBER 2013**

There was submitted a report by the Corporate Director (Environmental Services) informing the Committee of the current position regarding Direct Services Revenue and Capital budgets.

During discussion clarification was sought regarding the cost of replacement street lighting columns and whether this was an area where savings could be considered in the future. In response the Senior Engineer Traffic advised the Meeting of the

criteria applied when considering the replacement of street lighting columns and whilst the budget could be reduced, the Council would require to consider the consequences arising from such a reduction, however, if the Committee were minded he could prepare a report providing an analysis of the consequences in regard to the replacement of street lighting column as a consequence of a set reduction in the budget. This was agreed

Further clarification was sought as to why there was no reference within the report to the projected under/overspend relating to the revenue budget and it was agreed that future reports will show year end projected outturns for revenue spend.

Following further discussion an update was sought regarding the progress regarding the works relating to the Rothes and Buckie traffic light crossings respectively and concern was raised that the works may not be concluded within the current financial year.

In response the Senior Engineer Traffic advised that progress was being held up due to the procurement process but he was hopeful that the use of the framework contract will speed up the process, however, until this was signed he was unable to provide a date for completion of the works.

The Corporate Director (Environmental Services) advised that in order to answer the concerns raised by Members a briefing note would be provided to the local Members for Rothes and Buckie advising of the timetable for works relating to the Rothes and Buckie traffic light crossings once the procurement process had been finalised.

Following consideration the Committee agreed:

- (i) to note the budget monitoring report for the period to 30 September 2013;
- (ii) that a report be brought back to a future meeting providing an analysis of the consequences in regard to the replacement of street lighting column as a consequence of a set reduction in the budget;
- (iii) that a briefing note be provided to the local Members for Rothes and Buckie advising of the timetable for works relating to the Rothes and Buckie traffic light crossings once the procurement process had been finalised, and
- (iv) to note that future reports will show year end projected outturns for revenue spend for Direct Services.

4. SUSTAINABLE ECONOMIC DEVELOPMENT

There was submitted a report by the Corporate Director (Environmental Services) seeking to formalise the flexibility required in the application of Council standards in order to aid sustainable economic development in Moray and asking the Committee to acknowledge that sustainable economic development is the Council's main priority and in so doing note that in assessing proposals which promote this, where a planning or roads policy or standard is open to interpretation, the Council and its

officers will apply a purposive approach to the interpretation with this priority in mind, taking a flexible, pragmatic and proportionate approach in considering alternative solutions whilst safeguarding the aims of the policy/standard.

During discussion, Councillor Ross stated that in his opinion there was a need to publicise the message to developers that the Council is willing to take a flexible approach to developments, whilst also providing assurance to the public that where objections are raised that these will be taken into account and suggested that a further recommendation be added that this report is also referred to the Planning and Regulatory Services for its interests.

Following further discussion Councillor Leadbitter stated that he had difficulty in understanding why the report was before the Committee as, in his opinion, Officers already have the power to take a flexible approach and moved that no action be taken. Councillor McDonald seconded the motion.

As an amendment, Councillor Cree, seconded by Councillor Murdoch, moved approval of the recommendations as stated in the report, including the additional recommendation as suggested by Councillor Ross, stating that the purpose of the report is to highlight and reinforce to the people of Moray that the Council's main priority is economic development and the approach the Council will seek to take in

On a division there voted:

For the Motion: (1) Councillor Leadbitter

For the Amendment (8) Councillors Cree, Murdoch, Cowe, Creswell, McDonald, Ross, Shepherd and Wright

Abstentions (3) Councillors Coull, McLean and Paul

Accordingly the Amendment became the finding of the meeting and the Committee agreed to:

- (i) to acknowledge that sustainable economic development is the Council's main priority;
- (ii) to note that in assessing the proposals which promote sustainable economic development in Moray, where a planning or roads policy or standard is open to interpretation, the Council and its officers will apply a purposive approach to interpretation with this priority in mind, taking a flexible, pragmatic and proportionate approach and considering alternative solutions whilst safeguarding the aims of the policy/standard, and
- (iii) that the report be referred to the Planning and Regulatory Services Committee for its interest.

5. DECRIMINALISATION OF PARKING ENFORCEMENT

There was submitted a report by the Corporate Director (Environmental Services) advising Committee of the likely removal of Traffic Wardens by Police Scotland and the potential for the Council to consider decriminalisation of parking enforcement and

asking the Committee to defer making any decision on the option to decriminalise parking enforcement until such time as the outcome of the Police Scotland Review of the traffic warden service is known and the financial implications of such service provision is better understood.

The Meeting noted that decriminalisation of parking requires local authorities to submit applications to the Scottish Government, which would include a business case. The process could take 18 months to complete and only Police Scotland can enforce illegal parking on roads until such time as it is decriminalised.

During discussion Councillor Ross stated that in his opinion it would be unwise to wait until the end of the consultation period to determine the option the Council would wish to take and was of the view that the Council, as one of many other Councils in this position, should write to the Scottish Government regarding the timing of the decriminalisation process with a view to this being reduced. He further stated that the Council should seek from the Scottish Government financial assistance to enable the Council to take on this duty from Police Scotland and therefore moved that the Council write to the Scottish Government seeking an early resolution to the issues raised in the report, including any financial help.

Following further discussion during which Members raised various concerns regarding the withdrawal of the warden service, Councillor Cree, in seconding Councillor Ross, stated his concern in regard to the lack of warning given by the Police in relation to the removal of traffic wardens and asked whether there was any possibility for the transfer of powers to the Council's community wardens to deal with parking enforcement.

In response the Senior Engineer Traffic advised that the only option is for the Council to apply through the decriminalised parking enforcement process.

Following further discussion it was further suggested that, as many other local authorities were facing the same issues raised in regard to the proposal by Police Scotland to withdraw the traffic warden service, it be raised with Cosla. This was agreed.

Thereafter, there being no one otherwise minded, the Motion by Councillor Ross, seconded by Councillor Cree was approved and it was agreed:

- (i) that the Council write to the Scottish Government seeking an early solution of the issues raised in the report, including any financial help;
- (ii) to note that the Leader of the Council will look into raising the issue with COSLA, and
- (iii) that Officers investigate further the options available to the Council in regard to decriminalised parking enforcement.

6. UPDATE ON FOOD WASTE COLLECTION FROM COMMERCIAL PREMISES

There was submitted a report by the Corporate Director (Environmental Services) providing the Committee with an update on the arrangements for collecting food

waste from commercial premises and to approve the provision of a food waste collection service to commercial premises by an external agency as detailed at Option 2.

Following consideration the Committee approved arrangements for the provision of a food waste collection service to commercial premises by an external agency as set out in the report.

7. STREET NAMING – WW1 CENTENARY

There was submitted a report by the Corporate Director (Environmental Services) concerning street naming and the opportunity to honour those who took part in the Great War.

During discussion concern was raised regarding the proposal include names to honour those who took part in the The Great War 194-1918 within the Street Name Proposals for prospective streets across Moray, as it was the view of the Committee that there was already sufficient street already named that commemorate those who took part in The Great War and Members would wish to retain the flexibility to recognise the other campaigns/heros.

Following further discussion, Councillor Murdoch, seconded by Councillor Paul, moved that the Committee do not approve the proposal to include names to honour those who took part in The Great War 1914-1918 within the Street Name Proposal for prospective street names across Moray and that the status quo be maintained where any member of the public can suggest street names at any time to their local Elected Members but that the Committee note the publication of the Morayshire Roll of Honour.

There being no one otherwise minded this was agreed and accordingly the Committee agreed:

- (a) to note the publication of the Morayshire Roll of Honour The Great War 1914-1918 on the National Library of Scotland web archive and other sources identified in Appendix A; and
- (b) not to approve the publication of the Street Name Proposal for prospective street names across Moray, including names to honour those who took part in The Great War 1914-1918.

8. PROPOSED TRAFFIC REGULATION ORDER – VARIOUS STREETS, ELGIN

There was submitted a report by the Corporate Director (Environmental Services) seeking approval of the Committee to begin the consultation process for a proposed Traffic Regulation Order to restrict parking on the roads in Elgin, detailed in Appendix 1 and shown in plans Appendix 2 to this report, to maintain access for all legitimate vehicles and improve road safety for all road users.

During discussion clarification was sought was regarding the area relating to the road linking to the Linkwood Place road from the roundabout as detailed in Appendix 2 of the report.

In response the Senior Engineer Transport Development advised that the area in question related to I6 a designated site within the Local Plan and there was an outline planning application for mixed use development of which one site relating to a food take away was now operational. The area being referred to was in fact a turning circle and advised that a public road connection from this site would be expected to come forward with further development of that site.

Further clarification was sought regarding the future development of this area and in response it was agreed that Officers investigate the further development of the spur at I6 designated site and report outcome to a future meeting.

Thereafter the Committee agreed:

- (i) to approve the proposed Traffic Regulation Order on the following streets within Elgin and instructed the Head of Direct Services and the Head of Legal and Democratic Services to proceed with the statutory process:
 - (a) Linkwood Place and Linkwood Way;
 - (b) Wards Road;
 - (c) Greyfriars Street;
 - (d) Queen Street;
 - (e) Batchen Lane;
- (ii) to 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, and
- (iii) that Officers investigate the further development of the spur at I6 designated site and report outcome to a future meeting.

9. PROPOSED 20MPH SPEED RESTRICTION GARMOUTH VILLAGE CENTRE

There was submitted a report by the Corporate Director (Environmental Services) asking Committee to approve the proposal to introduce a 20 mph speed restriction on various streets within the centre of Garmouth.

During discussion, Councillor Cree stated that it was unclear to him as to why the proposal to introduce a 20 mph speed restriction on various streets within the centre of Garmouth was being considered when there appeared to be no evidence of road safety issues relating to previous bad driving or accidents which would advise that there is a need other than a desire and in his opinion the two were not the same and was of the view that the committee should consider carefully the expenditure associated with the proposals.

Councillor Wright, in supporting Councillor Cree's comments, moved that the Committee do not agree to approve the proposal to introduce a 20 mph speed restriction on various streets within the Centre of Garmouth. Councillor Cree seconded the Motion.

Councillor Ross, as one of the local Ward Members stated that whilst accepting a lot of what has been said about the characteristics of Garmouth which tend to reduce the speed of drivers, there has been a request which has been substantiated by officers within the report and in addition reminded the Committee of a very popular and well used nursery where the car park and playing fields sit on the opposite side of the road on quite a dangerous corner and whether people are driving at 20 mph at present, if there are signs through the village highlighting that there is a 20 mph limit, drivers may further reduce their speed. He further advised that should the new speed limit be introduced and the local people feel that drivers are flouting this limit, the Police have advised that they could deploy teams to undertake random speed checks. He therefore moved approval of the recommendation as printed in the report. This was seconded by Councillor McLean.

On a division there voted:

For the Motion (8) Councillors Wright, Cree, Cowe, Creswell, McDonald, Murdoch, Paul and Shepherd

For the Amendment (4) Councillors Ross, McLean, Coull and Leadbitter

Abstentions (0)

Accordingly the Motion became the finding of the Meeting and the Committee agreed not to approve the proposed 20mph speed restriction Garmouth Village Centre.

10. STOPPING UP – U23E LOCH OIRE ROAD

There was submitted a report by the Corporate Director (Environmental Services) asking Committee to approve the promotion of a traffic order to Stop Up an abandoned section of the U23E Loch Oire Road, Lhanbryde, under the Roads (Scotland) Act 1984.

Following consideration the Committee agreed to:

- (i) approve the proposal to Stop Up the abandoned section of the U23E Loch Oire Road, Lhanbryde as detailed in Appendix 1 and shown in plan Appendix 2;
- (ii) instruct the Head of Direct Services and the Head of Legal and Democratic Services to proceed with the statutory process; and
- (iii) instruct the Head of Direct Services and the Head of Legal and Democratic to make and implement the Order if, following the consultation period, there are no outstanding objections.

11. QUESTION TIME

No questions were raised.