

**THE MORAY COUNCIL**

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

**TUESDAY 2 JUNE 2015**

**COUNCIL OFFICE, ELGIN**

**PRESENT**

Councillors J Cowe, (Chair), G Cowie, (Depute Chair), G Alexander, G Coull, J Divers, G Leadbitter, G McDonald, A McLean, F Murdoch, D Ross, R Shepherd, S Warren and A Wright.

**APOLOGIES**

Apologies for absence were intimated on behalf of Councillor P Paul.

**IN ATTENDANCE**

The Acting Corporate Director (Economic Development, Planning & Infrastructure), the Head of Direct Services, the Head of Development Services, the Legal Services Manager (Property & Contracts), the Consultancy Manager, the Roads Maintenance Manager, the Planning and Economic Development Manager, the Operations Manager (Harbours), the Senior Programme Manager, the Senior Engineer (Traffic), the Principal Officer Economic Development 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 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. ORDER OF BUSINESS**

In terms of Standing Order 28 the meeting agreed to vary the order of business and consider Item 13 "Flood Risk Management Strategies and Plans - Statutory Consultation" immediately following Item 7 "Flood Risk Management Strategies and Plans – Prioritising Actions" (Paragraphs 9 and 10 of the Minute refer respectively).

### 3. URGENT BUSINESS

In terms of Standing Order 13(b) the meeting agreed to accept an urgent confidential report “Buckie Harbour – Request for Proposal Submission” on the Chairman certifying that, in his opinion, it required to be considered on the grounds of urgency in order to give early consideration to a request for submission for a proposal to EDP Renewables (EDPR) which has a closing date of 17 June 2015. It was agreed that the report be taken as Item 15 of business on the Agenda (paragraph 17 of the Minute refers).

### 4. 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.

<u>Para No of Minute</u>	<u>Para Nos of Schedule 7A</u>
17	1 & 8

### 5. MINUTES

#### (a) ECONOMIC DEVELOPMENT AND INFRASTRUCTURE SERVICES COMMITTEE – MINUTE OF MEETING DATED 7 APRIL 2015

The Minute of the meeting of the Economic Development and Infrastructure Services Committee dated 7 April 2015 was submitted and approved.

#### (b) LANDFILL TAX SUB-COMMITTEE – MINUTE OF MEETING DATED 18 MARCH 2015

The Minute of the meeting of the Landfill Tax Sub-Committee dated 18 March 2015 was submitted and approved.

### 6. WRITTEN QUESTIONS

The Meeting noted that no written questions had been submitted.

## 7. A96 DUALLING INVERNESS TO ABERDEEN

Under reference to paragraph 6 of the Minute of the Meeting of this committee dated 7 April 2015 there was submitted a report by the Acting Corporate Director (Economic Development, Planning and Infrastructure) advising Committee further on the dualling of the A96, including details on the process, key milestones, suggestions as to what the priorities might be within Elgin and where bypasses might be, in order of preference. The Report further sought the Committee's agreement to convene a Members workshop on 11 June 2015 to discuss the broad implications of the A96 dualling proposals so far and that the outcome of the workshop is fed back to Transport Scotland.

During discussion clarification was sought in regard to recommendation (ii) which stated that Officers, in consultation with the Chair and Depute Chair of this Committee will feedback the outcome of the workshop to Transport Scotland but which differed from paragraph 6.3 of the report which stated that all Members would be involved in feedback prior to it being provided to Transport Scotland. In response the Head of Direct Services advised that there will be an opportunity for all Members to attend the workshop and what is said at that workshop will be reflected in a briefing from the workshop which will be circulated to all Members before final approval by the Chair and Depute Chair.

Following further discussion clarification was sought in regard to what Moray Council was doing to lobby Scottish Ministers and Transport Scotland to push forward the Moray element of the project and in response the Head of Direct Services advised that the purpose of the workshop was to give Members an opportunity to set out what they see as the priorities in terms of the identified corridors to Jacobs, Transport Scotland's consultants who would be in attendance at the workshop.

Further clarification was sought in regard to what discussions had taken place between Officers and Transport Scotland in regard to the A96 project and in response the Head of Direct Services advised that 2 meetings had been held with Transport Scotland at which Officers had pressed that priority should be given for Moray. He further advised that at those meetings Officers were not in possession of the level of detail that is now in the public domain and now was the time for the Council to express a view and lobby for priority which was the aim of the workshop.

The Chairman further stated that this issue was being treated as an economic priority by the Moray Economic Partnership which was actively promoting Moray and its infrastructure as a priority.

Thereafter the Committee agreed that:

- (i) a Members workshop be convened to discuss the broad implications of the A96 dualling proposals as developed so far; and
- (ii) after circulating it to members, Officers feedback the outcome of the workshop to Transport Scotland, in consultation with the Chair and Deputy Chair of the Committee.

## 8. ECONOMIC DEVELOPMENT BUDGET

There was submitted a report by the Acting Corporate Director (Economic Development, Planning and Infrastructure) seeking Committee's approval for expenditure from the Economic Development Budget 2015-16.

During discussion clarification was sought in regard to the criteria to be used in relation to which communities would be eligible to access funding from the proposed rural challenge fund and whether those communities which had access to windfarm funding and also those who were likely to access wind farm funding would be eligible. In response the Acting Corporate Director (Economic Development, Planning & Infrastructure) advised that the proposals were in the early stages and that a workshop is to be held following the summer recess with Members in order to obtain their views on the criteria to be applied and the extent of the fund to be made available.

During further discussion Councillor Ross raised concern in regard to recommendation (ii) in particular in reference to paragraph 3.6 of the report relating to the provision of rural broadband and moved that the Council does not wait until the completion of the rollout at the end of 2016 to see what gaps remain in the rural broadband coverage but seeks to do all that it can now with HIE and with BT to see what can be done to address those areas that are struggling with broadband coverage.

Councillor Leadbitter, in seconding the motion, stated that, in his opinion, waiting until 2016 was too long and that the Council should be prepared to move at an early stage as the Council could have a clearer picture in 4 – 6 months from HIE Digital about what they may or may not manage to do and that the Council needs to be flexible in order to take action on any opportunities as they arise. He further asked whether the Service had the staffing resource to deliver the priorities set by the Council.

In response the Acting Corporate Director (Economic Development, Planning and Infrastructure) advised that in order to address the concerns highlighted in regard to broadband that she will ask officers to prepare a report for submission to the next meeting of this committee. This will focus on what developments are likely to come forward, the extent to which technology is developing and how clear the Council can be in regard to the what the position those areas that currently have no accessibility to broadband will be in at the end of the rollout and to tease out the issues in regard to the resourcing challenges to bridge the gaps remaining.

Following further discussion in regard to this issue during which it became clear that the consensus of the meeting was in favour of action being taken prior to the end of the rollout period, the Chairman asked Councillor Ross if he would consider accepting a change to recommendation (ii) in that a report as outlined by the Acting Corporate Director (Economic Development, Planning and Infrastructure) be brought to the meeting of this committee in August.

In response Councillor Ross stated that he would be willing to agree to that and withdraw his motion with the addition that the Council does not agree to wait until the

end of 2016 before taking any action. Councillor Leadbitter, as seconder to the motion was in agreement.

Accordingly it was unanimously agreed that recommendation (ii) be amended to read that in regard to paragraph 3.6 the council does not wait until the completion of the rollout at the end of 2016 to see what gaps remain in the rural broadband coverage and that a further report be brought to the next meeting providing information on the issues raised in regard to filling gaps in order that the council is prepared to take action at the earliest opportunity.

There followed further discussion in regard to a funding request from Elgin Museum during which concern was raised in regard to the business case which did not set out any indication that consideration had been given to the Museum becoming self-sustainable in the future. Further concern was raised in regard to there being no evidence of any investigation on other sources of funding being undertaken by the Museum. It was agreed that consideration of the funding request be deferred and in the meantime that a more robust business case be prepared by the Elgin Museum addressing the issues raised with a view to becoming self-sustaining in the near future and to investigate other sources of funding.

During further discussion in regard to a request from the congregation of St Giles's Church for financial support towards an options appraisal and feasibility study to identify alternate uses for St Giles Church, Elgin concern was raised at this being considered before the outcome of the Elgin Charrette has been published. Further concern was raised in regard to the request relating to a building not in the council's ownership and it was agreed that consideration of this be deferred until the outcome of the Elgin Charrette is available.

Thereafter the Committee agreed:

- (i) to note ongoing work on proposals for a rural communities challenge fund of £60,000 per year (Appendix 2) and if established that the fund be used as a means to pilot participatory budgeting beginning in the financial year 2016-17, and that a further detailed report on the outcome of the workshop to be held following the summer break will be submitted to a future meeting of this committee;
- (ii) to note the likely future demands on the economic development budget as detailed in paragraphs 3.3, 3.4, 3.5, 3.7 and 3.8 of the report;
- (iii) that in regard to paragraph 3.6 the council does not wait until the completion of the rollout at the end of 2016 to see what gaps remain in the rural broadband coverage and that a further report be brought to the next meeting providing information on the issues raised in regard to filling gaps in order that the council is prepared to take action at the earliest opportunity;
- (iv) to defer consideration of a funding request from Elgin Museum for £44,500 split over 3 years (£18,500 in 2015/16, £15,000 in 2016/17 and £11,000 for 2017/18) to enable Elgin Museum to prepare a more robust business plan addressing the issues raised and with a view to both becoming self sustaining in the near future and investigating other sources of funding available;

- (v) that the Council continues to be a corporate member of the Chamber of Commerce and allocates £1,200 from the Economic Development Budget in 2015-16 for this purpose;
- (vi) to continue to support the food and drink sector with a contribution of £3,000 to the Grampian Food Forum in 2015-16;
- (vii) to allocate £8,000 for exhibitions and promotion of inward investment to Moray; and
- (viii) to defer consideration of providing financial support of £14,000 towards an options appraisal and feasibility study to identify alternate uses for St Giles Church, Elgin until the outcome of the Elgin Charrette is available in August 2015.

## **9. FLOOD RISK MANAGEMENT STRATEGIES AND PLANS**

There was submitted a report by the Acting Corporate Director (Economic Development, Planning and Infrastructure) asking Committee to agree prioritisation of preferred actions for the Findhorn, Nairn and Speyside Local Plan District and the North-East Local Plan District involving Potentially Vulnerable Areas (PVAs) in the Council's administration area.

Following consideration the Committee agreed the prioritisation of the preferred options for the Findhorn, Nairn and Speyside Local Plan District and North-East Local Plan District involving Potentially Vulnerable Areas (PVAs) in this Council's area.

## **10. FLOOD RISK MANAGEMENT STRATEGIES AND PLANS – STATUTORY CONSULTATION**

There was submitted a report by the Acting Corporate Director (Economic Development, Planning and Infrastructure) asking Committee to agree the Council's response to the Scottish Environment Protection Agency (SEPA) consultation on Draft Local Flood Risk Management Strategies and Plans.

Following consideration the Committee agreed the Council's response as set out in the Appendix to the report.

## **11. MORAY EMPLOYMENT LAND AUDIT 2015**

There was submitted a report by the Acting Corporate Director (Economic Development, Planning and Infrastructure) reporting to Committee a summary of the key findings of the Moray Employment Land Audit 2015.

Following consideration the Committee agreed to note:

- (i) the findings of the Moray Employment Land Audit 2015; and

- (ii) that the Moray Employment Land Audit 2015 has been agreed by the Planning and Regulatory Services Committee.
- (iii) that a further report be brought to the next meeting of this Committee in regard to the Barmuckity Site.

## **12. SEATOWN FOOTBRIDGE REPLACEMENT, CULLEN**

There was submitted a report by the Acting Corporate Director (Economic Development, Planning and Infrastructure) asking Committee to approve the revised cost estimate to replace the Seatown Footbridge over the Burn of Cullen and proposals for dealing with the cost increase within the Capital Plan.

Following consideration the Committee agreed:

- (i) to note the revised cost estimate of £418,640; and
- (ii) that while this slightly exceeds the allowance in the Capital Plan the matter may be managed through routine monitoring within the overall allocation for infrastructure projects within the Capital Plan.

## **13. PROPOSED ROAD TRAFFIC REGULATION ORDER – VARIOUS STREETS, LOSSIEMOUTH**

There was submitted a report by the Acting Corporate Director (Economic Development, Planning and Infrastructure) asking Committee to approve the promotion of a Traffic Regulation Order that will introduce new waiting restrictions on various streets in Lossiemouth as detailed in the report.

Following consideration the Committee agreed to:

- (i) approve the proposal to introduce a Traffic Regulation Order to introduce new waiting restrictions on various streets in the Lossiemouth area as specified in Appendix 1 and shown in the plans at Appendix 2, and instructed the Head of Direct Services and the Acting Head of Legal and Democratic Services to begin the statutory process; and
- (ii) instruct the Head of Direct Services and the Acting Head of Legal and Democratic Services to make and implement the Order, if following the consultation period, there are no outstanding objections.

## **14. DIRECT SERVICES AND DEVELOPMENT SERVICES (ECONOMIC DEVELOPMENT) CAPITAL AND REVENUE BUDGET MONITORING TO 31 MARCH 2015**

There was submitted a report by the Acting Corporate Director (Economic Development, Planning and Infrastructure) informing Committee of the current

position regarding Direct Services and Development Service (Economic Development) Capital and Revenue Budgets.

During discussion clarification was sought in regard to the overspend within the Lands and Parks budget as detailed in paragraph 4.3.3 of the Report and in response the Head of Direct Services advised that he did not have the detail on this particular point but would investigate this further and provide a response to Members.

Following further discussion concern was raised in regard to issues relating to the condition of the marine ply at the Garmouth Viaduct and in response the Consultancy Manager advised that he would investigate the issues raised and advise Members accordingly.

Thereafter the Committee agreed:

- (i) to note the budget monitoring report for the period to 31 March 2015;
- (ii) that the Head of Direct Services provide Members with further information in regard to the Lands and Parks overspend, and
- (iii) that the Consultancy Manager investigate the issues raised in regard to the Garmouth Viaduct and advise Members accordingly.

## **15. PERFORMANCE REPORT (DIRECT SERVICES) – HALF YEAR TO MARCH 2015**

There was submitted a report by the Acting Corporate Director (Economic Development, Planning and Infrastructure) outlining performance of the service for the period from 1 October 2014 to 31 March 2015.

During discussion clarification was sought in regard to the reduction in savings from pool car usage and increase in mileage claims and whether these were linked. In response the Head of Direct Services advised that this was being investigated to identify what the root causes are, and the outcome would be circulated in a briefing note to Members.

Following further discussion in regard to changes to the Direct Services Performance Indicator targets concern was raised in respect of the lack of background information and comparator detail between the current targets and the proposed revised targets. In response the Acting Corporate Director (Economic Development, Planning and Infrastructure) suggested that consideration of these be deferred to the next performance report and in the meantime, a briefing note be circulated to Members providing information on what changes are being proposed in regard to the targets. When the changes are reported to Committee in December information will be included showing performance against the current PIs and the proposed PIs which will allow Members to see the comparisons and assess whether the rationale for amending the targets is clear. This was agreed.

Thereafter the Committee agreed to:



- (i) note performance against Economic Development, Planning and Infrastructure Performance Indicators, Service Plan and Complaints to the end of March 2015 as outlined in the report;
- (ii) welcome good performance as indicated in the report;
- (iii) note the actions being taken to improve performance where required;
- (iv) to note that the reduction in savings from pool car usage and increase in mileage claims is being investigated to identify what the root causes are, and the outcome circulated in a briefing note to Members;
- (v) to note that work is being undertaken to improve the reporting of the PIs that will allow proper analysis by Officers prior to reporting to Committee, and
- (vi) that in regard to changes to the Direct Services' performance indicator targets these be deferred to the next performance report and in the meantime that a briefing note will be circulated to Members providing information on what changes are being proposed in regard to the targets and when the changes are reported to Committee information will be included showing the current PIs and the proposed PIs which will allow Members to see the comparisons and assess whether the rationale for amending the targets is clear, and
- (vii) to note that a report on the Depot review has been deferred to the next meeting of this Committee.

## **16. QUESTION TIME**

Under reference to paragraph 9(vi) of the minute of this Committee dated 2 June 2015, Councillor Murdoch asked when the briefing note in relation to the Scottish Timber Transport Group funding would be circulated to Members. In response the Head of Direct Services advised that since the last meeting matters had developed and whilst a briefing note would be issued there may also be a need for a report to Committee.

Under reference to paragraph 4 of the Minute of the meeting of the Landfill Tax Sub Committee dated 18 March 2015 Councillor Leadbitter sought an update in regard to the future governance of the Sub Committee. In response the Head of Direct Services advised that he had been in discussion with the Community Support Unit and that a report would be brought to the August cycle of meetings.

## **17. BUCKIE HARBOUR – REQUEST FOR PROPOSAL SUBMISSION [PARAS 1 & 8]**

There was submitted a report by the Acting Corporate Director (Economic Development, Planning and Infrastructure) providing Committee with an update on the current status of securing Operations and Maintenance (O&M) for Buckie

harbour and seeking approval to submit a Request for Proposals (RFP) to EDPR for the use of Buckie Harbour as an O&M base for the Moray Offshore Renewables Limited (MORL) offshore wind farm.

Following consideration the Committee agreed to:

- (i) approve the submission of a RFP to MORL based on the design and considerations contained in section 5 of the report;
- (ii) to grant delegated authority to the Head of Direct Services to finalise the proposal and enter into negotiation with MORL to refine the proposal before preferred port status has been granted;
- (iii) to approve a memo of understanding with Global Energy Group to give a notice of intent to work together where there is mutual benefit; and
- (iv) subject to securing committee approval for any match funding required, to grant delegated authority to the Head of Direct Services to apply for external funding associated with the development of Buckie Harbour.