

THE MORAY COUNCIL

MINUTE OF MEETING OF THE ECONOMIC DEVELOPMENT & INFRASTRUCTURE SERVICES COMMITTEE

TUESDAY 18 AUGUST 2009

COUNCIL OFFICE, ELGIN

PRESENT

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

ALSO PRESENT

Councillors A McKay, F Murdoch, M Shand & D Stewart.

IN ATTENDANCE

The Director of Environmental Services, Head of Direct Services, Head of Development Services, the Planning & Development Manager, L Paisey, Principal Accountant, R Milburn, Principal Development Officer in respect of items 10,11 &12, A Scott, Principal Solicitor (Commercial and Conveyancing), S Beverage, Estates Surveyor and the Senior Committee Services Officer, Clerk to the Meeting.

1. SPACE TRAVEL

Prior to the commencement of business and on the invitation of the Chairman, Mr Howie Firth, accompanied by Mr Tom McCallum and Prof. George Fraser, Director of Leicester University's Space Research Centre, gave a presentation on the Spaceport Scotland concept. Following Mr Firth's presentation they responded to questions and thereafter the Chairman, on behalf of the Council thanked them for the interesting and informative presentation and contributions.

The Committee also agreed that Officers of the Economic Development Section of the Environmental Services Department enter into discussions with the speakers with a view to presenting a report to a future meeting of the Committee on the potential opportunities for Moray.

2. DECLARATION OF GROUP DECISIONS

The Meeting noted that Administration and SNP Groups on the Council had discussed and come to a prior decision in respect of nominations relating to Item 10 (a) 'Elgin Business Improvement District' on the Agenda. 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 item 17 of business so as to avoid disclosure of exempt information of the class described paragraph 9 of Part 1 of Schedule 7A of the Act.

4. WRITTEN QUESTIONS

The meeting noted that there were no written questions.

5. PROPOSED ROAD TRAFFIC REGULATION ORDER: SEATOWN AREA, LOSSIEMOUTH

There was submitted a report by the Director of Environmental Services seeking Committee approval of the promotion of a Traffic Regulation Order, which will restrict parking on parts of the Seatown Road area and introduce a 20 mph zone for the old part of Seatown, Lossiemouth. Details of the proposals were set out in Appendices A & B to the report.

On the invitation of the Chairman, Councillor Stewart, one of the Ward Members not on the Committee, addressed the meeting in support of the proposed Traffic Regulation Order and urged the Committee to approve the proposal.

Following consideration the Committee agreed to:-

- (i) approve the proposed Traffic Regulation Order to introduce waiting restrictions on parts of Seaview Road, Lossiemouth;
- (ii) approve the proposed Traffic Regulation Order to introduce a 20mph zone in the Seatown area of Lossiemouth;
- (iii) revoke the existing waiting restrictions associated with Seatown Road;
- (iv) instruct the Director of Environmental Services and the Chief Legal Officer to proceed with the statutory process; and
- (v) instruct the Director of Environmental Services and the Chief Legal Officer to make and implement the orders if following the consultation period there are no outstanding objections.

6. PROPOSED ROAD TRAFFIC REGULATION ORDER: CLIFTON ROAD, LOSSIEMOUTH

There was submitted a report by the Director of Environmental Services seeking Committee approval of the promotion of a Traffic Regulation Order, which will restrict parking on parts of Clifton Road, Lossiemouth. Details of the proposal were set out in Appendices A & B to the report.

The meeting noted the concerns expressed by Councillor Russell in regard to the effect the proposed 30 minute waiting restrictions may have, if approved, on nearby parking provision, particularly given that the proposal related to any 30 minute period over 24 hours.

Members also expressed concern in regard to the proposed 30 minute waiting restrictions and suggested that consideration be given to amending this to only applying between 8.00 am and 6.00 pm.

Following consideration the Committee agree to:-

- (i) approve the proposed Traffic Regulation Order to introduce waiting restrictions on Clifton Road, Lossiemouth as detailed in Schedules 1 & 2 to the report, subject to amending the reference to 'Elgin' in Schedule 1 to 'Lossiemouth' and intimating that the 30 minute waiting time restrictions in Schedule 2 will apply between 8.00 a.m and 6.00 p.m;
- (ii) instruct the Director of Environmental Services and Chief Legal Officer to proceed with the statutory process; and
- (iii) 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.

7. CONFIRMATION OF STOPPING UP ORDER AT STATION STREET, ROTHES

Under reference to paragraph 18 of the Minute of the meeting of this Committee dated 26 August 2008 there was submitted a report by the Chief Legal Officer inviting the Committee to confirm, as an unopposed Order, "The Moray Council (Stopping-Up of Section of Station Street at its crossing of the Back Burn) Order 2009".

Following consideration the Committee agreed to confirm, as an unopposed order, "The Moray Council (Stopping-Up Section of Station Street at its crossing of the Back Burn) Order 2009" and authorised the Chief Legal Officer to make the Order.

8. STREET NAMING & NUMBERING

There was submitted a report by the Director of Environmental Services recommending approval of Street Names which had been submitted in respect of a number of new housing developments in Moray. Details of the proposed street names were set out in Section 2.1 of the report.

Following consideration the Committee agreed to approve the:-

- (i) names Alba Road, Anderson Drive, Gollachy Street, Greenfield Way, Mair Street, Mavers Lane, Murdoch Avenue, Smirack Road and Watt Avenue are

given to the development in Buckie as submitted by Councillors J Mackay, G McDonald and A McKay;

- (ii) name Stotfield Court is given to the development in Lossiemouth as submitted by the developer and confirmed by Councillors Hogg, McGillivray, Stewart and Wright;
- (iii) name Mosset Court is given to the development in Forres as submitted by the developer and confirmed by Councillors Bell, Hamilton, Ogilvie and Young; and
- (iv) names Jamieson Drive, Jamieson Place, McBeath Court and McBeath Avenue are given to the development in Elgin as submitted by the developer and confirmed by Councillors Jarvis, Russell and Shand.

9. ADOPTION OF ROADS ON TO LIST OF ROADS

There was submitted a report by the Director of Environmental Services seeking Committee approval for the addition to Statutory List of Public Roads of the roads specified in the Schedule appended to the report and indicated on the location maps, which were also appended to the report.

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

10. INDUSTRIAL PORTFOLIO ANNUAL REPORT 2009

There was submitted a report by the Head of Estates inviting the Committee to note the terms of the 2009 Annual Report on the Council's Industrial Portfolio, a copy of which was appended to the report.

During discussion reference was made to the three large industrial units in Keith which were proving difficult to let and it was suggested that consideration be given to splitting them into smaller units which might be easier to let in the current economic climate.

Following consideration the Committee agreed:-

- (i) to note the terms of the 2009 Annual Report on the Council's Industrial Portfolio;
- (ii) that in the event of the three large industrial units in Keith remaining vacant over the next 3 months consideration be given to splitting them into smaller units and a report on the viability of that option be submitted to Committee;
- (iii) that future monitoring reports invite the Committee to 'note and scrutinise'; and
- (iv) that the Committee's appreciation of the work involved in the preparation of the report be conveyed to the report author.

11. ELGIN BID

Under reference to Paragraph 10 of the Minute of this Committee dated 26 August 2008 there was submitted a report by the Director of Environmental Services providing the Committee with an update on the development of a Business Improvement District (BID) for Elgin and seeking the Committee approval to contribute to the BID's proposed 5 year operational plan. A copy of the Business Plan was appended to the report. The report also invited the Committee to consider nominating an Elected Member to the Board of Directors of the proposed new Company 'City of Elgin BID Ltd' with the option to nominate an additional Elected Member as an observer.

During discussion the Chairman referred to the Town Centre Regeneration Fund and put forward a number of recommendations in regard to the submission of a revised application for the second round. He also made reference to a request from Keith and Strathisla Regeneration Partnership for the Council's co-operation in submitting an individual bid for the project at Reidhaven Square, Keith.

In regard to the nominations to the Board of Directors Councillor Wright, seconded by Councillor McIntyre, moved that Councillor Russell be nominated as the Council's Elected Member representative on the Board of Directors of the proposed new Company 'City of Elgin BID Ltd'. There being no-one otherwise minded the motion became the finding of the meeting.

In regard to the nomination of an additional Elected Member as an observer Councillor Paul, seconded by Councillor Coull, moved that Councillor Leadbitter be nominated.

As an amendment Councillor Shepherd, seconded by Councillor Bell, moved that Councillor Divers be nominated as the additional Elected Member as an observer.

On a division there voted:-

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

For the Amendment (8) Councillors Bell, Cree, Divers, Hamilton, McIntyre, Russell, Shepherd and Wright

Abstentions (0)

Accordingly the amendment became the finding of the meeting.

Thereafter the Committee agreed:-

- (i) to support the BID proposal through voting in favour at the ballot stage;
- (ii) should the BID ballot be successful, to a contribution of £49,000 per annum for 5 years plus the cost of the levy and the costs of collecting the levy, from the Corporate Economic Development budget, towards the City of Elgin BID;

- (iii) to an in kind contribution through providing office accommodation for a BID manager and some administrative support,
- (iv) to nominate Councillor J Russell for the Board of Directors of the new company, 'City of Elgin BID Ltd' and to nominate Councillor J Divers as an observer;
- (v) that as the proposed funding is over a 5 year period, impacting on future budget planning, the recommendation set out in (ii) above be referred to the Policy and Resources for its' approval;
- (vi) that the Director of Environmental Services be granted delegated authority, in consultation with the Chair of this Committee, to re-submit an amended application to the Town Centre Regeneration Fund once comments are received from the BIDs Group;
- (vii) to endorse the submission of an independent application by Keith & Strathisla Regeneration Partnership the Town Centre Regeneration Fund; and
- (viii) that the same match funding that would have been applicable to the Keith & Strathisla content of the original application be available to them, if successful with the independent application, and that a letter to that effect be issued at the earliest opportunity to be signed by the Director of Environmental Services, the Convener and the Chair of the Economic Development & Infrastructure Services Committee.

12. EUROPEAN FUNDING APPLICATIONS

There was submitted a report by the Director of Environmental Services providing the Committee with an update on European Funding applications submitted and seeking approval to contribute to one of three further applications from the Economic Development budget. Details of the applications were set out in Section 4 of the report.

Following consideration the Committee agreed:-

- (i) to note the progress made in securing European Funding to date;
- (ii) a contribution of £17,000, split over 2 financial years, from the Corporate Economic Development budget towards the Moray Assisted Recruitment Scheme, as detailed in Section 4 of the report, subject to the Community Planning Board's approval of a match funding contribution from the Fairer Scotland Fund;
- (iii) to Council fronting all 3 applications, detailed in Section 4 of the report, for European funding;

- (iv) in principle, to be a partner in the East of Scotland Loan Fund European Funding application and sets aside £80,000 per annum from the Economic Development budget for the next 3 financial years; and
- (i) that as the proposed funding periods are over 2 & 3 years, impacting on future budget planning, the above recommendations be referred to Policy and Resources for its approval.

13. MORAY WINTER FESTIVAL

There was submitted a report by the Director of Environmental Services seeking Committee approval to contribute towards the Moray Winter Festival, details of which were set out in Section 5 of the report.

During discussion concerns were expressed in regard to the costings of some of the proposed activities and whether the festival, which only related to Elgin, should continue to be supported by the Council.

Following consideration the Committee agreed to:-

- (i) approve a Moray Winter Festival for 2009 up to a maximum cost of £5,000 and that it be remitted to the Director of Environmental Services to determine the level of activities taking into account the views expressed by Members at the meeting; and
- (ii) note that this will be the last Moray Winter Festival organised and funded by the Council.

14. VISITSCOTLAND PARTNERSHIP AGREEMENT 2009/10

There was submitted a report by the Director of Environmental Services inviting the Committee to consider agreeing the level of service to be provided by VisitScotland for 2009/10 under the Partnership Agreement (SLA). Details of the SLA proposals were set out in Section 4 of the report.

Following consideration the Committee agreed:-

- (i) to the level of services to be provided by VisitScotland during financial year 2009/10 as detailed in Section 4.1 of the report and a financial contribution of £77,000;
- (ii) not to accede to three year Service Level Agreement (SLA) for the reasons outlined in Section 4.2 of the report; and
- (iii) to note that a report in regard to the proposed 2010/11 SLA will be submitted to Committee for consideration before the end of the 2009/10 financial year.

15. PROGRESS REVIEW AGAINST PERFORMANCE INDICATORS AND SERVICE IMPROVEMENT PLAN FOR THE PERIOD JANUARY TO MARCH 2009

There was submitted a report by the Director of Environmental Services advising the Committee of progress made against targets laid down in the Environmental Services Service Improvement Plan, providing an update of Service performance against some of the performance indicators relative to the Department and advising of progress against Revenue Budgets and Capital Schemes, details of which were set out in Appendix 1 to the report and summarised in Sections 4 and 5 of the report. The report also included an overview of complaints for the Service overall, details of which were set out in Section 4.3 of the report (Complaints).

During discussion Officers responded to Members questions and it was noted that statement of page 28 relating to the effect the closure of the ice house is having on fishing boats landing at Buckie Harbour will be removed from future reports and that the Harbour Advisory Board will be advised of the reasons for increasing Administration costs with a copy to Members for their interest. The meeting also noted that whilst an apparent lack in progress in the feasibility of developing a business park at Burmuckity was a matter to be raised directly with HIE a planning application had been submitted by Springfield Properties Ltd in regard to infrastructure and roads proposals. The Head of Direct Services also advised the meeting that the statement in Section 5.1.14 of the report should have indicated that the River Spey is not included as a Core Path.

Following consideration the Committee agreed to:-

- (i) note the update of Service Performance regarding the Performance Indicators relating to the Environmental Services Department;
- (ii) note progress against departmental budgets; and
- (iii) note the effect that staff recruitment problems are having on performance and service delivery, but that in some areas of the service recent success in recruitment should improve matters after posts have been actually taken up; and
- (iv) to note that an update report on the overspend in Transportation is due to be submitted to the Service Development Group in mid September 2009 with a view to a report thereon being submitted to the next meeting of this Committee.

16. QUESTION TIME

Prior to inviting questions Councillor Hamilton left the meeting.

There were no questions raised at Committee.

**17. PROPOSED DISPOSAL OF WORKSHOP, 60 BALLOCH ROAD,
(PARA 9)**

There was submitted a report by the Head of Estates Services inviting the Committee to consider declaring 60 Balloch Road, Keith, surplus to requirements with a view to selling the property to the sitting tenant.

Following consideration the Committee agreed to:-

- (i) declare 60 Balloch Road, Keith, surplus to requirements, on condition that the property be sold to the current tenant on the provisionally agreed terms detailed in Section 4.8 of this report; and
- (ii) remit the proposed terms of the sale of 60 Balloch Road, Keith to the Policy and Resources Committee for consideration.