

## **THE MORAY COUNCIL**

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

**TUESDAY 23 FEBRUARY 2010**

**COUNCIL OFFICE, ELGIN**

#### **PRESENT**

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

#### **ALSO PRESENT**

Councillor Murdoch respect of Item 6 'Moray Food Festival'.

#### **APOLOGY**

An apology for absence was intimated on behalf of Councillor S Cree (Deputy Chair), and A Wright.

#### **IN ATTENDANCE**

The Director of Environmental Services in respect of items 1-6 & 16-19, the Head of Direct Services, the Head of Development Services, the Roads Maintenance Manager, the Planning & Development Manager, L Paisey, Principal Accountant, A McEachan, Principal Solicitor (Commercial & Conveyancing), S Beveridge, Estates Surveyor and the Senior Committee Services Officer, Clerk to the Meeting.

### **1. ORDER OF BUSINESS**

In terms of Standing Order 25 the meeting noted that Item 15 'Proposed 40 MPH Speed Restriction B9012 Duffus Road, Elgin' had been withdrawn from the Agenda and will be resubmitted to the next meeting of the Committee at which consideration will also be given to a report on proposed parking restrictions on Duffus Road.

### **2. DECLARATION OF GROUP DECISIONS**

Councillor G McDonald declared an interest in Item 9 on the Agenda 'Moray Property Development Company' in his capacity as a Director of the Company.

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.

### **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 item 19 of business so as to avoid disclosure of exempt information of the class described in Paragraph 6 of Part 1 of Schedule 7A of the Act.

### **4. WRITTEN QUESTIONS**

The meeting noted that there were no written questions.

### **5. TOWN CENTRE HEALTH CHECKS**

There was submitted a report by the Director of Environmental Services seeking the Committee's approval of expenditure to commission a consultant to assist in undertaking of a Town Centre Health Check Framework, consisting of the towns of Elgin, Keith, Forres, Buckie, Lossiemouth, Dufftown and Aberlour. A copy of the list of Vitality and Viability indicators proposed for each settlement were appended to the report as Appendix 1 and a brief description of each of the Vitality and Viability indicators was set out in Appendix 2 to the report.

During discussion Councillor Bell moved that the funding town centre health checks be up to a maximum of £30,000. Thereafter consideration was given to including Rothes and Fochabers in the study. The meeting also noted that given the scope of the study it had been ascertained that there would be no requirement to commission a footfall study in order to secure European funding.

Following further discussion Councillor Bell withdrew his motion and the Committee agree to:-

- (i) approve the commissioning of a consultant to assist in the undertaking of a Town Centre Health Check Framework for the towns of Elgin, Keith, Forres, Buckie, Lossiemouth, Dufftown, Aberlour, Rothes and Fochabers; and
- (ii) authorise expenditure of up to £45,000 from the 2010/2011 Economic Development budget to resource the Town Centre Health Check Framework, for those aspects requiring input from a consultant, subject to removing the footfall element of the studies.

### **5. MORAY FOOD FESTIVAL 2010**

There was submitted a report by the Director of Environmental Services seeking Committee approval to promote a Moray Food Festival in 2010 and commit a budget not exceeding £15,000 from the 2010/11 Economic Development Budget towards the total project cost.

The meeting noted that this Festival could provide an excellent opportunity to promote Moray's quality Food and Drink sector. It can also promote the benefits of eating locally grown, seasonal produce, and establish Moray as a premier destination for visitors interested in culture and interested in high quality foods, while also having a wide appeal to local communities. A copy of the proposed programme of events was appended to the report as Annex 1.

During discussion concerns were expressed in regard to some of the proposed events, the costs thereof and the benefits of running the festival between May and October 2010.

On the invitation of the Chairman the meeting also heard the views of Councillor Murdoch, who is not a member of the Committee, and noted her concerns in regard to the proposals.

Following discussion Councillor G McDonald, seconded by Councillor Leadbitter, moved consideration of the report be deferred for further detailed information on and the benefits of the proposed programme of events.

As an Amendment Councillor Russell moved approval of the recommendations, in principal, as set out in the report, subject to obtaining external match funding and further scrutiny of events with a view to reducing costs.

On a division there voted:-

For the Motion (6)	Councillors Coull, Divers, Leadbitter, G McDonald, Ogilvie and Paul.
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For the Amendment (5)	Councillors Bell, Hamilton, McIntyre, Russell and Shepherd.
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Abstentions (0)

Accordingly the Motion became the finding of the meeting and it was agreed to defer consideration of the report for further detailed information on and the benefits of the proposed programme of events.

## **6. EAST OF SCOTLAND LOAN FUND**

Under reference to Paragraph 12 (iv) of the Minute of this Committee dated 18 August 2009 there was submitted a report by the Director of Environmental Services advising the Committee of the principles of the Consultation of the "East of Scotland Loan Fund Ltd" and the proposed mechanisms for delivering loans in Moray.

The meeting noted that the ERDF application is to be considered this month by the advisory group with ministerial announcement expected in March. Should the application be successful, the Fund will start its activity in the new financial year. The Fund will provide businesses access to funding for growth and start-up providing a vital contribution to the economic recovery.

In regard to nominations for a Member to represent the Council's interest on the Board of ESIF Ltd, Councillor Leadbitter, seconded by Councillor Coull, moved that Councillor G McDonald be nominated.

As an amendment Councillor Bell, seconded by Councillor McIntyre, moved that Councillor Russell be nominated.

On a division there voted:-

For the Motion (5)	Councillors Coull, Leadbitter, G McDonald, Ogilvie and Paul.
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For the Amendment (6)	Councillors Bell, Divers, Hamilton, McIntyre, Russell and Shepherd.
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Abstentions (0)

Accordingly the Amendment became the finding of the meeting and it was agreed that Councillor Russell be nominated as to represent the Council's interest on the Board of ESIF Ltd.

Following consideration the Committee agreed:-

- (i) to confirm the Council's participation in the East of Scotland Investment Fund Company (ESIF);
- (ii) to nominate Councillor Russell to represent the Council's interest on the board of ESIF Ltd; and
- (iii) to grant the Chairman of this Committee and the Convener, in consultation with Councillors Divers and Leadbitter, in their capacity of their respective Group's spokesperson on this issue, authority to form the panel of members including the member representing the Council on the Board of the Investment Fund Company, when the ERDF grant has been awarded.

## **7. COMMUNITY PLANNING PARTNERSHIP EUROPEAN FUNDING APPLICATION**

There was submitted a report by the Director of Environmental Services inviting the Committee to consider a request to transfer a previously agreed contribution towards Community Planning Partnership proposals for Moray College European funding applications, to a replacement Moray Arts Centre proposal.

The meeting noted that over the past two years, Moray Art Centre has been developing and establishing an ongoing educational and training programme for young people (16-25), who are excluded from training and employment opportunities because of factors of multiple deprivation. The proposed project is based on the success of this development work and will be delivered and managed by the Moray Art Centre in a multi-agency partnership, which includes Moray Council New Start, Youth Justice and More Choices/More Chances.

Following consideration the Committee agreed:-

- (i) not agree to support a financial contribution of £26,000 from the Economic Development Budget towards the Moray Art Centre proposal; and
- (ii) that a copy of the report and the Committee's decision be referred to the meeting of the Community Planning Board on 4 March 2010 for information.

## **8. MORAY PROPERTY DEVELOPMENT COMPANY**

Councillors McIntyre and G McDonald declared an interest in this item, in their capacity as Moray Council nominated Directors of the Moray Property Development Company.

There was submitted a report by the Head of Estates Services inviting the Committee to consider the dissolution of Moray Property Development Company (MPDC) and transfer of its assets and liabilities to the Council.

The meeting noted that MPDC's private directors consider that the objects of the Company have been met and wish to dissolve the company and transfer its assets to the Council. It is considered to be in the Council's interests to accept a transfer of MPDC's assets to the Council at no cost.

Following consideration the Committee agreed:-

- (i) in principle, to officials proceeding, in conjunction with the Board of Moray Property Development Company, to dissolve Moray Property Development Company and transfer its liabilities and assets to the Council; and
- (ii) in principle, the Council indemnifying the external Directors of the Moray Property Development Company against any personal costs to them arising from the administration and winding up of the Company, other than costs attributable to bad faith on their part;
- (iii) in principle, Moray Property Development Company's property assets being amalgamated into the Council's Industrial Portfolio; and
- (iv) referring consideration of the proposals to the Policy and Resources Committee.

## **9. BULKY WASTE COLLECTION SERVICE**

Under reference to Paragraph 7 (iii) of the Minute of this Committee dated 8 December 2010 there was submitted a report by the Director of Environmental Services advising the Committee of the Council's Bulky Household Waste Collection Service and inviting the Committee to consider charging for the uplift of white goods.

During discussion reference was made to the WEEE Directive and the potential implications thereof to the Council.

Following consideration the Committee agreed:-

- (i) to note the current provision and not to introduce a charge for uplifting white goods; and
- (ii) that a report be submitted to a future meeting of the Committee on the implications of the WEEE Directive.

## **10. STREET NAMING POLICY AND PROCEDURES**

During consideration of this item Councillor Ogilvie left the meeting.

Under reference to Paragraph 15 (iv) of the Minute of this Committee dated 8 December 2010 there was submitted a report by the Director of Environmental Services inviting the Committee to consider draft policy guidelines in regard to street naming and numbering, a copy of which was appended to the report as Appendix 1.

During discussion concerns were expressed in regard to the establishment of a procedure with little room for discretion and it was suggested that rather than specific rules it would be more preferable to have guidelines.

Following consideration the Committee agreed to:-

- (i) approve the Street Naming Policy and Procedure, as set out in Appendix 1 to the report as guidance, subject to amending the introduction to indicate that the Procedure is operating as guidance and the involvement of Members in the process; and
- (ii) note that Transportation Officers would intend to begin a period of consultation for proposed street names to be considered for addition to a 'Street Name List' for each Ward after approval of the Street Naming Policy and Procedure

## **11. LOSSIE GREEN AND LOSSIE WYND CAR PARKS PAY AND DISPLAY**

Under reference to Paragraph 4 (ii) of the special meeting of the Council dated 11 February 2010 there was submitted a report by the Director of Environmental Services inviting the Committee to consider proposals for the introduction and implementation of pay and display waiting restrictions for car parking only at Lossie Green and Lossie Wynd Car Parks, Elgin.

During discussion the meeting noted that it was proposed to fund the set up costs from the Capital scheme 'Elgin Traffic management and Car parking' during 2010/11. In this regard the meeting also noted that the last three line paragraph of Section 4(c) of the report 'Financial Implications' required to be deleted having been included in error in the final draft of the report. Clarification was also sought in regard to the boundaries between Council owned land and Common Good land and it was agreed that location/site plans indicating Common Good land be made available to Members.

Following consideration the Committee agreed to:-

- (i) approve the recommendations set out in Section 2 of the report with regard to introduction of pay and display waiting restrictions at Lossie Green and Lossie Wynd Car Parks and proceed with the statutory process;
- (ii) approve the proposal to charge a fee of £1 per day per car (or part day).
- (iii) approve the proposal to fund set up costs from the Capital scheme "Elgin Traffic Management and Car Parking" during 2010/2011;
- (iv) approve the proposal to split subsequent income between the Council and the Common Good Fund; and
- (v) instruct the Director of Environmental Services and Chief Legal Officer to proceed with the statutory process.

## **12. WINTER MAINTENANCE**

Under reference to Paragraph 3 of the Minute of the meeting of the Policy and Resources Committee dated 11 January 2010 there was submitted a report by the Director of Environmental Services inviting the Committee to consider the issues and actions taken to deal with the severe winter weather between mid December 2009 and mid January 2010. Details of the current Service Levels were set out in Appendix 1 to the report with comprehensive details available on the council's internet website.

Following consideration the Committee agreed:-

- (i) to note the homologation by the Policy and Resources Committee on 11 January 2010 of the actions taken by the Chief Executive and Senior Officers in dealing with the winter related local emergency;
- (ii) to note the actions taken by Officers in advance and during the period to deal with the severe winter weather conditions;
- (iii) to homologate the action of Senior Officers in adopting the guidance issued on preserving salt usage during the current shortages;
- (iv) to note that the Roads Maintenance Manager will conduct a review of the Council's response to the winter conditions as outlined in the report and bring back a further report in late summer identifying any changes required to the current Policy, including the financial implications of any alteration;
- (v) that Members forward any information that they may have or receive on issues relating to their Ward that could influence change to the current Policy to the Roads Maintenance Manager so that it might inform the review; and
- (vi) that the Committee's appreciation of the work of staff during the winter related emergency be conveyed to all concerned.

### **13. PROPOSED ROAD TRAFFIC ORDER: VARIOUS STREETS, ELGIN**

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 various streets in Elgin as detailed in Appendix A to the report and shown in the plans set out in Appendix B to the report.

Following consideration the Committee agreed to:-

- (i) approve the proposed Traffic Regulation Order to introduce waiting restrictions on Various Streets in Elgin and instruct the Director of Environmental Services and Chief Legal Officer to proceed with the statutory process; and
- (ii) instruct the Director of Environmental Services and the Chief Legal Officer to make and implement the order if, following the consultation period, there are no outstanding objections.

### **14. INFORMATION ON 20 MPH SPEED LIMITS**

Under reference to Paragraph 6 of the Minute of the meeting of this Committee dated 13 October 2009 there was submitted and noted a report by the Director of Environmental Services outlining conditions pertaining to 20 mph speed restrictions, details of which were set out in Appendices A & B to the report.

### **15. PROGRESS REVIEW AGAINST PERFORMANCE INDICATORS AND SERVICE IMPROVEMENT PLAN FOR THE PERIOD APRIL TO DECEMBER 2009**

There was submitted a report by the Director of Environmental Services updating the Committee on service performance against some of the performance indicators relating to Economic Development and Infrastructure Services within the Environmental Services Department for the period to the end of December 2009. The report also provided the Committee with an overview of Revenue Budget progress and complaints and details capital projects which have slipped or have been postponed and will not be completed this financial year. Details of monitoring statements were set out in Appendices 1, 2 & 3 to the report.

During discussion it was noted that it would be helpful if future reports included a brief description of the nature of complaints and that Councillor Bell be provided with an update on the Moray College project 'Moray Life Science Centre'.

Following consideration the Committee agreed to:-

- (i) to note the update of service performance regarding performance indicators relating to the Environmental Services Department;
- (ii) to note the progress against departmental budgets; and

- (iii) that the Complaints Outcomes section in future reports include a brief description of the complaint.

## **16. ADOPTION OF ROADS ON TO LIST OF ROADS**

There was submitted a report by the Director of Environmental Services asking the Committee to approve the addition of the roads specified in the schedule in the Appendix to the report to the statutory list of Public Roads.

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

## **17. STREET NAMING AND NUMBERING: NEW STREET NAMES**

There was submitted a report by the Director of Environmental Services inviting the Committee to consider proposed new street names, following consultations with Ward Members, for new developments at various locations in Moray.

Following consideration the Committee agreed to:-

- (i) approve the proposed street names detailed in Section 3 of the report; and
- (ii) note that future reports will include a brief description of the reasons/origin of proposed street names.

## **18. QUESTION TIME**

In response to a request for an update from Councillor Coull in regard to a proposal to introduce 20mph speed limits outside Findochty & Portknockie Primary Schools the meeting noted that the Head of Direct Services undertook to provide a written response to Ward members within seven days.

Councillor Hamilton sought clarification in regard to recently erected flags on lampposts in The Leys Car Park in Forres and Lossie Green Car Park, Elgin in that was planning consent required and was the Council receiving any income from the erection of the flags. The meeting noted that a request had been received from Digital UK seeking consent to erect banners on lampposts across Moray warning of the impending digital switchover in September 2010. Following discussions it had been agreed that, in the interests of public safety, and the need to raise public awareness, the banners be erected in Council car parks and not on roads. As a public information exercise the Council does not receive any income from the erection of the banners and the issue of planning consent was referred to the Appointed Officer.

## **19. ENVIRONMENTAL SERVICES REVENUE BUDGET : MONITORING REPORT FOR TRADING ACCOUNTS (PARA 6)**

There was submitted and noted a monitoring report by the Director of Environmental Services informing the Committee of the progress of trading accounts against

revenue budgetary targets in respect of Grounds Maintenance, Roads and Vehicle Maintenance for the period 1 April to 31 December 2009.