

**THE MORAY COUNCIL**

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

**TUESDAY 8 DECEMBER 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, I Ogilvie, P Paul, R Shepherd and A Wright.

**ALSO PRESENT**

Councillor D Stewart in respect of Item 14.

**APOLOGY**

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

**IN ATTENDANCE**

The Director of Environmental Services, the Chief Legal Officer, the Head of Direct Services, the Head of Development Services, the Transportation Manager, the Planning & Development Manager, the Moray Access Manager (in respect of Item 8), L Paisey, Principal Accountant, R Gerring, Senior Engineer (Transportation), S Williamson, Waste Management Officer (in respect of Item 7), I Douglas, D Westmacott, Apprentice Committee Services Officer and the Senior Committee Services Officer, Clerk to the Meeting.

**ALSO IN ATTENDANCE BY INVITATION**

Mr C Macpherson, Area Manager (Moray), Highlands & Islands Enterprise (HIE) in respect of Item 18.

**1. DECLARATION OF GROUP DECISIONS**

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.

**2. 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.

**Para No of Minute**

**Para No of Schedule 7A**

18

Para 6

**3. WRITTEN QUESTIONS**

The meeting noted that there were no written questions.

**4. MORAY FILM LIAISON SERVICE**

Under reference to Paragraph 11 of the Minute of the Policy and Resources Committee dated 20 October 2009 there was submitted a report by the Director of Environmental Services seeking approval of budget provision, from the Economic Development Activities Budget, over the next four years towards the promotion of Moray as a film location by creating a Moray Film Liaison Service.

Following consideration the Committee agreed to approve the sum of £4,000 over the next 3 financial years, subject to budgetary consideration.

**5. MORAY CHAMBER OF COMMERCE ANNUAL BUSINESS AWARD**

There was submitted a report by the Director of Environmental Services inviting the Committee to consider continuing to sponsor the Moray Chamber of Commerce Annual Business Awards, which helps raise the profile of the best of Moray's businesses and the Council's involvement in local economic development.

Following consideration the Committee agreed to sponsor the Annual Business Award, with a sum of £1,500 each year, for the next three financial years, with attendance at the Annual Dinner with representation to be agreed, in consultation with the Convener and the Chief Executive.

**6. SCOTLAND FOOD AND DRINK EXCELLENCE AWARDS 2010**

There was submitted a report by the Director of Environmental Services seeking Committee approval of a contribution of £1,000 sponsorship towards the cost of staging the Scotland Food & Drink Excellence Awards 2010 in Moray.

The meeting noted that the aim of the Awards, which are administered by the Royal Highland Society, is to support the strategic objectives of the Scotland Food & Drink Strategy and to recognise and reward innovation, enterprise and quality throughout the sector. Bring the awards to Moray would give Moray based industries to capitalise on networking with other leading producers from throughout Scotland.

During discussion consideration was given to granting delegated authority to the Director of Environmental Services to consider and determine application for financial assistance from the Economic Development Activities Budget up to a specific monetary level.

Following consideration the Committee agreed:-

- (i) to a contribution of £1,000 as sponsorship of the Scotland Food and Drink Excellence awards 2010, to be met from the Economic Development Activities; and
- (ii) that, in future and subject to review in light of operational experience, the Director of Environmental Services be granted delegated authority, in consultation with the Chair of this Committee, to determine applications for financial assistance from the Economic Development Activities budget up to £1,000.

## **7. WASTE MANAGEMENT KERBSIDE COLLECTION POLICY**

There was submitted a report by the Director of Environmental Services seeking approval of the adoption of a Kerbside Collection Policy which will ensure that the Council's Waste Management Team can rationalize the way that the service is delivered in line with the meaning of 'kerbside' thus ensuring efficient use of resources and delivery of the service in a safe manner.

During discussion clarification was sought in regard to the number of bins that could be acquired and the number of bins emptied on collection days. The meeting also noted that, as in previous years, for those which receive kerbside collection brown bin collections would cease week commencing 21 December 2009 and recommence week commencing 18 January 2010. During this period green bins will be collected weekly. Concerns were also expressed in regard to items, including tyres, excluded from being uplifted free of charge as part of the bulky household waste collection service.

Following consideration the Committee agreed:-

- (i) to approve the Kerbside Collection Policy, as detailed in Appendix 1 the report, as part of a first stage in the production of a Waste Management Service Delivery Policy, subject to clarifying that it is only residents receiving kerbside collection that will receive 1 green bin and 1 brown bin;
- (ii) that where situations dictate inordinate travel distances on single track roads with more than one house or trade premises the Director of Environmental Services be granted delegated authority to stipulate the designated collection point for those premises; and
- (iii) that a review of the Council's current charging policy on bulky household waste uplifts be undertaken and a report thereon, with options, be submitted to the next meeting of the Committee.

## **8. MORAY CORE PATHS PLAN FINALISED VERSION 2009**

Under reference to Paragraph 4 of the Minute of this Committee dated 14 October 2008 there was submitted a report by the Director of Environmental Services seeking

Committee approval for the submission of the Moray Core Plans Finalised Version as the recommended plan, together with the Council's statements in response to the 16 outstanding objections.

The meeting noted that a copy of the final draft Plan and accompanying Environmental Report had been previously circulated to members of the Committee under separate cover and also made available at the Council's Access Points and Public Libraries and electronically on the Member's Portal and the Council's website. The meeting also noted that on expiry of the 12 week consultation period on the Final Draft Plan 59 comments and 29 formal objections were received. The report advised that 13 of the formal objections had been formally been withdrawn on the basis of changes to the draft plan. Details of the formal 29 objections and the Council's response thereto were set out in the Appendix to the report.

Following consideration the Committee agreed to:

- (i) approve The Moray Core Paths Plan Finalised Version as previously presented and its submission to the Scottish Government as the recommended plan for adoption; and
- (ii) the submission to the Scottish Government of the 16 outstanding formal objections to the plan and the Council's statements of response.

## **9. JOINT TRANSPORT SCOTLAND AND MORAY COUNCIL ON ELGIN TRAFFIC REVIEW**

Under reference to Paragraph 8 of the Minute of this Committee dated 31 March 2009 there was submitted a report by the Director of Environmental Services inviting the Committee to note the progress of the joint working initiative between Transport Scotland and Council transportation officers to bring forward future road improvements to the A96 in Elgin.

The meeting noted that following a considerable amount of work by Transport Scotland's consultants a draft report was produced which identified 'packages' of improvements, ranging from simple short term measures to more significant, longer term issues. A copy of a short executive summary of the draft report was appended to the report as Appendix 1 and a copy of the full report made available on the Members Information Portal and the members Library.

Following consideration the Committee agreed to note the progress of the joint working initiative between Transport Scotland and Council Transportation Officers to bring forward future road improvements on the A96 in Elgin.

## **10. ELGIN ROAD HIERARCHY: PRIMARY & DISTRICT DISTRIBUTOR ROADS**

There was submitted a report by the Director of Environmental Services inviting the Committee to consider a proposal to meet the requirement identified in the Moray Local Plan (Page 79 of the MLP2008 refers) for an Elgin Road Hierarchy. Details of the two road hierarchy classification systems, traffic flow information and proposed

Primary and District Distributor Roads were set out in Appendices A, B & C, respectively, to the report.

The meeting noted that the aim of a road hierarchy is to enable safe and convenient movement of people and goods and reduce overall impact of traffic. The identification of Primary and District Distributor roads will provide a framework for development management and traffic management, which will help to reduce the overall impact of traffic. Should the Committee approve the proposal it would be the subject of appropriate consultation with a report on the outcome being submitted to a future meeting of the Committee.

During discussion clarification was sought as to why Pluscarden Road and Duffus Road were not included in the District Distributor lists. The meeting noted that as they connected to the rural hinterland they would be classed as local distributor roads which would be looked at as part of the next Local Plan review. It was also accepted that the definitions of 'Primary' and 'District' be refined prior to going out to consultation.

Following consideration the Committee agreed:

- (i) to approve the lists of Elgin Primary and District Distributor Roads, identified at Sections 3.9 and 3.12 of the report and instruct appropriate consultation to be carried out, subject to redefining the definitions of 'Primary' and 'District' Distributor roads in the consultation document;
- (ii) that a further report be submitted following the consultation period, advising of the comments and representations received to the proposed designations; and
- (iii) to grant delegated authority to the Director of Environmental Services to undertake a review and consult on any proposals for traffic sensitive roads in Elgin, in accordance with the Road Works (Scottish Road Works Register, Notices Directions and Designations) (Scotland) Regulations 2008 and that a further report be brought back to Committee only if there are objections to the proposals.

## **11. TRANSPORTATION ACCESS REQUIREMENTS FOR SMALL RURAL DEVELOPMENTS**

There was submitted a report by the Director of Environmental Services inviting the Committee to consider a proposal to set out the requirements for road access to single house and small developments in rural areas of Moray as part of the revision of the road guidelines and specification, as identified in the Moray Local Plan 2008, Policy IMP1(c). A copy of the proposed draft consultation document 'Transportation Access Requirements for Small Rural Developments' was appended to the report as Appendix A.

Following consideration the Committee agreed:-

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

- (ii) to approve, for the purposes of consultation, the consultative draft 'Transportation Access Requirements for Small Developments in Rural Areas', as set out in the Appendices to the report, and instruct appropriate consultation; and
- (iii) that a further report be submitted following the consultation period, advising of the comments and representations received.

## **12. PROPOSED ROAD TRAFFIC REGULATION ORDER: CLIFTON ROAD LOSSIEMOUTH**

Under reference to Paragraph 6 of the Minute of the meeting of this Committee dated 18 August 2009 there was submitted a report by the Director of Environmental Services recommending that, in light of local opposition received during the consultation process, the Council does not proceed to promote the proposed Traffic Regulation Order which would have introduced a short section of 30 minute limited parking adjacent to shops on Clifton Road, Lossiemouth, as detailed on the plan appended to the report as Appendix A.

Following consideration the Committee agreed not to proceed with the proposal to promote a Traffic Regulation Order which would have altered the existing parking restriction on parts of Clifton Road, Lossiemouth.

## **13. ELGIN TO LOSSIEMOUTH CYCLE TRACK : DESIGNATION OF ROUTE**

There was submitted a report by the Director of Environmental Services seeking Committee approval, subject to appropriate consultation, of the re-determination of the means of exercise of public right of passage on various sections of footway and footpath to cycle track, as detailed in the location plans appended to the report as Appendix A, and to add them to the Statutory List of public roads if no objections are received.

Following consideration the Committee agreed to:-

- (i) approve the proposal to re-determine the means of exercise of public right of passage on various sections of existing adopted footway/footpath to a shared cycle track as detailed in Appendix A to the report and instruct the Director of Environmental Services and the 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; and
- (iii) approve the proposal to adopt various sections of new and existing cycle track as detailed in Appendix A and instruct the Director of Environmental Services and the Chief Legal Officer to proceed with the statutory process.

## **14. LOSSIEMOUTH BREAKWATER**

There was submitted a report by the Director of Environmental Services inviting the Committee to note the present condition of the breakwater at the east side of the River Lossie's estuary at Lossiemouth, the investigations currently being undertaken and the options for repair, details of which were set out in Section 3 of the report.

On the invitation of the Chairman, Councillor Stewart, one of the Ward Members not on the Committee, addressed the meeting on this issue and sought an assurance that in the case of an emergency there would be no requirement to tender for works. The meeting noted that as with other matters of emergency such as flooding, appropriate action is taken, in consultation with the Chief Financial Officer, in terms of the Council's Financial Regulations.

Following consideration the Committee agreed to recommend to the Policy and Resources Committee that the substantial repair of the breakwater, at an estimated cost of £250,000, be included in the Capital Plan review on the agenda of the next meeting of Policy & Resources on 15 December 2009.

## **15. STREET NAMING AND 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.

Prior to considering the report the Chairman expressed concerns in regard to the potential confusion for emergency services, postal services and the public were the references to Findrassie, Hamilton and Spynie for suggested street names within the development off Covesea Road and Duffus Road, Elgin to be approved given that there are already street names elsewhere within Elgin with these names. He also suggested that, given these concerns, draft policy guidelines be drawn up for consideration.

Following consideration the Committee agreed:-

- (i) to approve the:
  - (a) names Corries Way, Grant Road West, Mount Dora Drive, Twinning Link and Vienenburg Avenue are given to the development off Balnageith Road in Forres as submitted by Councillors Bell, Hamilton, Ogilvie and Young;
  - (b) names Brander Gardens, Cumiskie Crescent, Riddock Gardens and Whiterow Drive are given to the development off Grantown Road in Forres as submitted by Councillors Bell, Hamilton, Ogilvie and Young;
  - (c) name Varis Wynd be given to the development off High Street in Forres as submitted by the developer and approved by Councillors Bell, Hamilton, Ogilvie and Young;

- (d) names Edward Terrace, Peterkin Place, Provost Drive and Trantor Terrace are given to the development off Inchbroom Road in Lossiemouth as submitted by Councillors Hogg, McGillivray, Stewart and Wright;
  - (e) names Dunbar Close, Dunbar Gardens, Dunbar Grove, Dunbar Place, Duffus Crescent, Duffus Heights, Duffus Lane and Duffus Place are given to some of the streets within the development off Covesea Road and Duffus Road as submitted by the developer and approved by Councillors Hogg, McGillivray, Stewart and Wright;
  - (f) names Ripley Place and Sellar Crescent be given to the development off Edindiach Road in Keith as submitted by Councillors Coull, Cree and Shepherd;
- (iii) that it be delegated to the Director of Environmental Services, in consultation with the Ward Members, the Chair of this Committee, the Developer, the Emergency Services and Royal Mail, to give further consideration to and determine the proposed street names for the remaining streets within the development off Covesea Road and Duffus Road, Elgin; and
  - (iv) that draft policy guidelines in regard to street naming and numbering be submitted, for consideration, to a future meeting of the Committee.

#### **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 road specified in the schedule in the Appendix to the statutory list of Public Roads.

Following consideration the Committee agreed:-

- (i) to approve the adoption of roads scheduled in the Appendix to the Statutory List of Public Roads; and
- (ii) that, in regard to future reports, accompanying street maps to be issued in black & white with a colour copy placed in the Members' library and the Internet.

#### **17. PROGRESS REVIEW AGAINST PERFORMANCE INDICATORS AND SERVICE IMPROVEMENT PLAN OR THE PERIOD APRIL TO SEPTEMBER 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 September 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.

Following consideration the Committee agreed to note:-

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

### **18. SERVICE IMPROVEMENT PLAN**

There was submitted a report by the Director of Environmental Services seeking Committee approval of the 2009/10 Service Improvement Plan (SIP) for Environmental Services, a copy of which was appended to the report. There was also appended to the report as Appendix 2 extracts from The Local Delivery Action Plan approved by the Council on 30 September 2009 (para 5 of the Minute refers) which it was proposed be included in the SIP should it be approved by the Committee.

Prior to considering the report the Head of Development Services suggested amending the Plan to exclude the three projects in Appendix 2 being lead by HIE and Moray College. Concerns were expressed in regard the timing of the submission for approval of the Service Improvement Plan and an assurance was sought and given that the 2010/11 Service Improvement Plan will be submitted prior to the commencement of the 2010/11 financial year.

Following consideration the Committee agreed to approve the Service Improvement Plan for 2009/10, as detailed in Appendix 1 to the report.

### **19. QUESTION TIME**

Councillor Coull referred to a copy of the Moray Winter Festival 2009 brochure and sought clarification as to why, despite concerns raised by this Committee on 18 August 2009, the brochure still referred to what was happening in Elgin with just a brief reference with little information as to what was happening in other communities throughout Moray. In response the meeting noted that local communities had been consulted and the information contained in the brochure was based on that received prior to going to print and updated information would be provided on the Council's website.

In response to a supplementary question from Councillor Coull in regard what information had been requested from local communities the Head of Development Services also undertook to provide Members with this information within 7 days.

Councillor Shepherd sought clarification in regard to current position relative to the Rothiemay Bridge which was damaged during the recent floods. In response the Head of Direct Services advised the meeting in regard to the works undertaken to date and that the damage to the foundations of the pier was now being ascertained. The road closure would continue until the end of January 2010 at the earliest. The Head of Direct Services also undertook to provide Ward Members with weekly updates.

On the conclusion of this item Councillor Shepherd left the meeting.

**18. 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 30 September 2009.