THE MORAY COUNCIL

MINUTE OF MEETING OF THE PLANNING & REGULATORY SERVICES COMMITTEE

TUESDAY 18 NOVEMBER 2008

COUNCIL OFFICE, ELGIN

PRESENT

Councillors S. Cree (Chair), J Russell (Deputy Chair), L Bell, G Coull, J Divers, M McConachie, A McDonald, G McDonald, A McKay, D Stewart and A Wright.

ALSO PRESENT

Councillors I Ogilvie and I Young in respect of Item 4 (f) – Planning application 07/01478/FUL relating to the erection of a hydrotherapy pool at Forres Swimming Pool.

APOLOGY

Apologies for absence were intimated on behalf of Councillor J Hamilton and F Murdoch.

IN ATTENDANCE

The Head of Development Services, the Environmental Health Manager, the Planning & Development Manager, A Burnie & J Martin, Principal Planning Officers (Development Control) in respect of Item 4, R Gerring, Engineer (Transport Development), A McEachan, Principal Solicitor (Commercial and Conveyancing) and the Senior Committee Services Officer, Clerk to the Meeting.

1. DECLARATION OF GROUP DECISIONS

In terms of Standing Order 20 the meeting noted that there were no declarations from Members or group leaders or spokespersons in regard to any prior decisions taken on how members will vote on any item on the Agenda.

2. WRITTEN QUESTIONS

There were no written questions.

3. PLANNING APPLICATIONS

PLANNING APPLICATION 07/01252/FUL : ERECTION OF BUSINESS/INDUSTRIAL UNITS AT BLUEHILL CRAIGELLACHIE FOR GLENMORE PROPERTIES LIMITED
Prior to considering the applications and under reference to Paragraph 4 of the Minute of the meeting of this Committee dated 30 September 2008 the Chairman advised the meeting that following a site meeting with the applicant and further submissions identifying limited measures to address access and road safety concerns, the Transportation Manager is sustaining the recommendation for refusal.

The main reason for sustaining this recommendation centres on the fact that the U102H, Bluehill Quarry Road is an unsuitable road for the additional volume and type of traffic that would be generated by the proposed industrial development. The concern is for both the structural integrity of the road verges, and for road safety.

At present, the Transportation Manager is continuing to explore options for a positive solution to what is a quite complex and difficult issue to resolve. This will in all probability require further planning investigation and legal advice and, for these reasons, it was considered premature to submit a report to this meeting.

In noting the position the meeting agreed that on completion of further investigation into the issues of road safety a report be submitted to the next available meeting.

**KEITH AND CULLEN : WARD 2**

(a) 08/01335/OUT OUTLINE TO ERECT HOUSE AT WOODSIDE ROEHILL CROSSROADS KEITH FOR MESSRS JAS A MORRISON

There was submitted a report by the Director of Environmental Services recommending that, subject to conditions detailed in the report, outline planning consent be granted in respect of an application to erect a house at Woodside, Roehill, Crossroads, Keith for Messrs Jas A Morrison.

The meeting noted that the application had been referred to Committee in terms of the Scheme of Delegation given that a departure from policy was being recommended for approval and there was an unresolved objection from a statutory consultee, Strathisla Community Council. It was also noted that members of the Committee visited the site of the application on Friday 14 November 2008.

The report advised that the application was initially advertised as a departure to policy L/HC3 of the Moray Local Plan 2000. This provision was essentially superseded however by policy H8 of the Emerging Moray Local Plan 2008 following consideration of the Inquiry Reporters findings at a special meeting of Committee on 12 August 2008 (para 6 of the Minute refers). The current proposal is considered to satisfy the requirements of policy H8 New houses in the Open Countryside for the reasons set out within the observations section of the report.

In response to a question relating to the potential cumulative affect this and any further future developments in the area might have on the single-track road the meeting noted that in assessing the impact the Transportation Section consider applications on their individual merit taking into account the history of the area and existing condition and, if deemed necessary, instigate traffic surveys.
Following consideration the Committee agreed to approve the application, subject to the following conditions:-

1. (a) That in the case of any reserved matter, application for approval must be made before: -

   (i) that expiration of 3 years from the date of the grant of outline planning permission; or

   (ii) the expiration of 6 months from the date on which an earlier application for such approval was refused; or

   (iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed; whichever is the latest: provided that only one such application may be made in the case after the expiration of the 3 year period mentioned in sub-paragraph (i) above.

   (b) That the development to which the permission relates must be begun not later than whichever is the later of the following dates: -

       (i) the expiration of 5 years from the date of the grant of outline planning permission; or

       (ii) the expiration of 2 years from the final approval of the reserved matters or in the case of approval on different dates the final approval of the last such matter to be approved.

2. The approval hereby granted is in outline and prior to the commencement of the development approval of the details, including the siting, design and external appearances of the building(s) the means of access thereto and the landscaping of the site (hereinafter called “the reserved matters”) shall be obtained from the Council, as Planning Authority.

3. The proposed development shall be carried out only in accordance with detailed drawings, which shall previously have been submitted to and approved by the Council, as Planning Authority. These drawings shall show the reserved matters numbered 4-8 below.

4. Plans, sections and elevations of all buildings proposed with details of the type and colour of all external materials and finishes shall be submitted in accordance with condition no. 3 above.

5. The proposed layout of the site showing the exact position of the site boundaries, the position of all buildings, the means of access, areas for vehicle parking and the arrangements for the disposal of foul and surface water (i.e. a SUDS system or equivalent) shall be submitted in accordance with condition no. 3 above.
6. Details of the exact extent, type and finish of all other works including walls, fences and other means of enclosure and screening shall be submitted in accordance with condition no. 3 above.

7. Sections through the site showing the development on its finished levels in relation to existing levels shall be submitted in accordance with condition no. 3 above.

8. Landscaping proposals showing any existing trees/hedges/shrubs to be retained or removed together with details of the type, position and number of all planting to be undertaken and details of all surfacing materials shall be submitted in accordance with condition no. 3 above.

9. The dwellinghouse shall be of single or one and a half storey construction with upper floor accommodation contained almost entirely within the roof space.

10. The design and materials of the dwellinghouse and landscaping proposals shall comply with the following requirements:

(a) A roof pitch of between 40-55 degrees;

(b) A gable width of no more than 2.5 times the height of the wall from ground to eaves level;

(c) Uniform external finishes and materials including slate or dark "slate effect" roof tiles;

(d) A vertical emphasis and uniformity to all windows;

(e) Proposals must be accompanied by a plan showing 25% of the plot area to be planted with native species trees, at least 1.5m in height;

(f) Where there is an established character, or style, of boundary demarcation in the locality (e.g. beech hedges, dry stone dykes) new boundaries must be sympathetic.

11. A visibility splay of 2.4 metres x 60 metres shall be provided at the access.

12. Prior to commencement of construction of the dwellinghouse a turning hammerhead and lay-by shall be constructed in accordance with the Moray Council specification at a position in front of the site to be agreed by the applicant and the Roads Authority. The turning hammerhead and lay-by shall be constructed to adoptable standard and finished in bituminous material prior to the dwellinghouse being occupied.

Reasons:

1. The time limit condition is imposed in order to comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997.
2. In order to ensure that the matters specified can be fully considered prior to the commencement of development.

3. As the consent is in outline only and in order that detailed consideration can be given to the matters specified.

4. As the consent is in outline only and in order that detailed consideration can be given to the matters specified.

5. As the consent is in outline only and in order that detailed consideration can be given to the matters specified.

6. As the consent is in outline only and in order that detailed consideration can be given to the matters specified.

7. As the consent is in outline only and in order that detailed consideration can be given to the matters specified.

8. As the consent is in outline only and in order that detailed consideration can be given to the matters specified.

9. In order to ensure that the development harmonises with the appearance and character of the surrounding properties and area.

10. In order to ensure that the development harmonises with the appearance and character of the surrounding properties and area.

11. In the interests of road safety.

12. In the interests of road safety and to accommodate a refuse lorry/fire appliance.

FOCHABERS LHANBRYDE : WARD 4

(b) 08/01492/FUL ERECT DWELLINGHOUSE AT LOCH VIEW WARDEND BIRNIE ELGIN MORAY FOR MR GAVIN STRATHDEE

There was submitted a report by the Director of Environmental Services recommending that, subject to conditions detailed in the report, planning consent be granted in respect of an application to erect a dwellinghouse at Lochview, Wardend, Birnie, Elgin for Mr Gavin Strathdee.

The meeting noted that the application had been referred to Committee in terms of the Scheme of Delegation given that a departure from policy was being recommended for approval and there was an unresolved objection from a statutory consultee, Heldon Community Council. It was also noted that members of the Committee visited the site of the application on Friday 14 November 2008.
The report advised that whilst the proposal represented a departure for the Adopted Local Plan 2000, on the basis that the proposed site is in excess of 1400m² and does not have mature boundary enclosures on all sides, it complies with the policies of the Emerging Local Plan 2008. The reasons for recommending approval of the application were set out in the ‘Observations’ section of the report.

Following consideration the Committee agreed to approve the application, subject to the following conditions:-

1. The development to which this permission relates must be begun not later than the expiration of five years beginning with the date on which this permission is granted.

2. Unless otherwise agreed with the Council, as Planning Authority, the development hereby approved shall be carried out strictly in accordance with the approved plans and conditions.

3. No boundary fences, hedges, walls or any obstruction whatsoever over 1.0 m in height and fronting onto the public road shall be within 2.4 m of the edge of the carriageway.

4. The width of vehicular access shall be between 2.4m and 3m and have a maximum gradient of 1:20 measured for the first 5.0m from the edge of the public carriageway. Section of access over the public footpath/verge shall be to The Moray Council specification and surfaced in bitmac.

5. No water shall be permitted to drain onto the public footpath/carriageway.

6. A parking lay-by 8.0m long x 2.5m wide with 30 degrees splayed ends shall be provided at the edge of the public road to allow visiting and service vehicles to park clear of the public road. The vehicular access(es) should lead off the lay-by(s). Lay-by to be to The Moray Council specification and be surfaced in bitmac.

7. A turning area shall be provided within the curtilage of the site to enable vehicles to enter/exit in a forward gear.

8. A visibility splay of 2.4m x 120m shall be provided at the access.

9. That all planting, seeding or turfting forming part of the approved landscape scheme shall be carried out in the first planting and seeding seasons following the occupation of the dwelling or the completion of the building works, whichever is the sooner. Any trees or plants which (within a period of 5 years from the planting) die, are removed or become seriously damaged or diseased shall be replaced in the following planting season with others of similar size, number and species unless this Council (as Planning Authority) gives written consent to any variation of this planning condition.

10. Notwithstanding the provisions of Class 7 in Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992,
or any Order revoking or amending that Order, and unless alternative agreements are reached with the Head of Development Services, the boundaries of the site shall be comprised: -

- Natural drystone dyke, a post and wire fence or a hedge made of native species to be agreed in writing with the Planning Authority prior to planting.

11. A wholesome and adequate water supply requires to be provided.

**Reasons:**

1. The time limit condition is imposed in order to comply with the requirements of Section 58 of the Town and Country Planning (Scotland) Act 1997.

2. In order to ensure that there are no unauthorised departures from the approved plans, which could adversely affect the development or character and amenity of the surrounding properties and area.

3. In the interests of road safety.

4. In the interests of road safety.

5. In the interests of road safety.

6. In the interests of road safety.

7. In the interests of road safety.

8. In the interests of road safety.

9. In order to ensure that the approved landscaping works are timeously carried out and properly maintained in a manner, which will not adversely affect the development or amenity and character of the area.

10. In order to ensure that consideration can be given to the appearance and impact of boundary enclosures other than those specified.

11. In the interests of the health of the occupants of the dwellinghouse.

(c) 08/01617/FUL ERECT DWELLINGHOUSE AND DOUBLE GARAGE AT BIRKEN HEIGHTS WARDEND BIRNIE ELGIN MORAY FOR MR GAVIN STRATHDEE

There was submitted a report by the Director of Environmental Services recommending that, subject to conditions detailed in the report, planning consent be granted in respect of an application to erect a dwellinghouse and double garage at Birken Heights, Wardend, Birnie, Elgin for Mr Gavin Strathdee.
The meeting noted that the application had been referred to Committee in terms of the Scheme of Delegation given that a departure from policy was being recommended for approval and there was an unresolved objection from a statutory consultee, Heldon Community Council. It was also noted that members of the Committee visited the site of the application on Friday 14 November 2008.

The report advised that whilst the proposal represents a departure for the Adopted Local Plan 2000, on the basis that the proposed site is in excess of 1400m² and does not have mature boundary enclosures on all sides, it complies with the policies of the Emerging Local Plan 2008. The reasons for recommending approval of the application were set out in the ‘Observations’ section of the report.

Prior to considering the application the meeting noted that Condition 4 of the draft conditions required to be amended to indicate that the width of the vehicular access shall be 2.4 – 3.0 metres and not as indicated in the report. The meeting also noted that two additional ‘Informatives’ required to be attached to the consent, if approved, intimating that (a) No retaining walls shall be constructed along the edge of the road whether retaining the public road or ground adjoining the public road without consultation with the Transportation Manager and that in respect of electricity power lines which cross the site (b) Prior to the commencement of development, the developer must contact Scottish and Southern Electricity and reach agreement on diversion or undergrounding of the power lines. If this is not possible and the house must be repositioned away from the power lines, then amended plans must be submitted for the approval in writing of The Moray Council as planning authority prior to the commencement of development.

Following consideration the Committee agreed to approve the application, subject to the following conditions:-

1. The development to which this permission relates must be begun not later than the expiration of five years beginning with the date on which this permission is granted.

2. Unless otherwise agreed with the Council, as Planning Authority, the development hereby approved shall be carried out strictly in accordance with the approved plans and conditions.

3. No boundary fences, hedges, walls or any obstruction whatsoever over 1.0 m in height and fronting onto the public road shall be within 2.4 m of the edge of the carriageway.

4. The width of vehicular access shall be 2.4 - 3.0m and have a maximum gradient of 1:20 measured for the first 5.0 m from the edge of the public carriageway. Section of access over the public footpath/verge shall be to The Moray Council specification and surfaced in bitmac.

5. No water shall be permitted to drain onto the public footpath/carriageway.

6. A parking lay-by 8.0 m long x 2.5 m wide with 30 degrees splayed ends shall be provided at the edge of the public road to allow visiting and service
vehicles to park clear of the public road. The vehicular access(es) should lead off the lay-by(s). Lay-by to be to The Moray Council specification and be surfaced in bitmac.

7. A turning area shall be provided within the curtilage of the site to enable vehicles to enter/exit in a forward gear.

8. A visibility splay of 2.4 metres x 120 metres shall be provided at the access.

9. That all planting, seeding or turfing forming part of the approved landscape scheme shall be carried out in the first planting and seeding seasons following the occupation of the dwellinghouse or the completion of the building works, whichever is the sooner. Any trees or plants which (within a period of 5 years from the planting) die, are removed or become seriously damaged or diseased shall be replaced in the following planting season with others of similar size, number and species unless this Council (as Planning Authority) gives written consent to any variation of this planning condition.

10. Notwithstanding the provisions of Class 7 in Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, or any Order revoking or amending that Order, and unless alternative agreements are reached with the Head of Development Services, the boundaries of the site shall be comprised:

- Natural drystone dyke, a post and wire fence or a hedge made of native species to be agreed in writing with the planning authority prior to planting.

11. A wholesome and adequate water supply requires to be provided.

Reasons:

1. The time limit condition is imposed in order to comply with the requirements of Section 58 of the Town and Country Planning (Scotland) Act 1997.

2. In order to ensure that there are no unauthorised departures from the approved plans, which could adversely affect the development or character and amenity of the surrounding properties and area.

3. In the interests of road safety.

4. In the interests of road safety.

5. In the interests of road safety.

6. In the interests of road safety.

7. In the interests of road safety.

8. In the interests of road safety.
9. In order to ensure that the approved landscaping works are timeously carried out and properly maintained in a manner, which will not adversely affect the development or amenity and character of the area.

10. In order to ensure that consideration can be given to the appearance and impact of boundary enclosures other than those specified.

11. In the interests of the health of the occupants of the dwellinghouse.

HELDON & LAICH : WARD 5

(d) 08/01796/FUL ERECT EXTENSION AT CHILKOOT STOTFIELD ROAD LOSSIEMOUTH FOR MR HARRY W HALKETT

During consideration of this application the Head of Development Services left the meeting.

There was submitted a report by the Director of Environmental Services recommending that, subject to conditions detailed in the report, planning consent be granted in respect of an application to erect an extension at Chilkoot, Stotfield Road, Lossiemouth for Mr Harry W Halket.

The meeting noted that the application had been referred to Committee in terms of the Scheme of Delegation given that the applicant was a relative of an employee within the Environmental Services Department and that members of the Committee visited the site of the application on Friday 14 November 2008.

Following consideration the Committee agreed to approve the application, subject to the following conditions:-

1. The development to which this permission relates must be begun not later than the expiration of five years beginning with the date on which this permission is granted.

2. Unless otherwise agreed with the Council, as Planning Authority, the development hereby approved shall be carried out strictly in accordance with the approved plans and conditions.

Reasons:

1. The time limit condition is imposed in order to comply with the requirements of Section 58 of the Town and Country Planning (Scotland) Act 1997.

2. In order to ensure that there are no unauthorised departures from the approved plans, which could adversely affect the development or character and amenity of the surrounding properties and area.

On the determination of this application the Head of Development Services rejoined the meeting.
ELGIN CITY NORTH : WARD 6

(e) 07/02808/FUL ERECT NEW HALL/OFFICE AT ST COLUMBAS CHURCH MOSS STREET ELGIN FOR ST GILES AND ST COLUMBAS SOUTH CHURCH

There was submitted a report by the Director of Environmental Services recommending that, subject to conditions detailed in the report, planning consent be granted in respect of an application to erect a new hall/office at St Columbas Church, Moss Street, Elgin for St Giles and St Columbas South Church.

The meeting noted that the application had been referred to Committee in terms of the Scheme of Delegation given that competent written objections had been received from more than 5 separate households or other premises. The meeting also noted that the application had been advertised as a development affecting the setting of a Category ‘B’ listed building and is located within a Conservation Area. Members of the Committee visited the site of the application on Friday 14 November 2008.

Prior to considering the application the meeting noted the following amendments/additions to the recommendation in respect of the application:-

- Amended Recommendation 3 to read:-

  The width of the vehicular access shall be 5 metres and have a maximum gradient of 1:20 measured for the first 5.0 metres from the edge of the public carriageway. Section of access over the public footpath/verge shall be to The Moray Council specification and surfaced in bitmac.

- Additional Recommendation

  No fences, hedge, wall, or any obstruction whatsoever shall be within 2.75 metres of the centre line of the access within the site.

- Additional Informative

  For the avoidance of doubt the existing lighting column at the existing entrance and the short length of hedge on the north side of the access (approximately 30 metres from the edge of the public carriageway) should be removed in the interests of road safety and safe vehicle movements.

The meeting also noted that approval of the proposed development would lead to the closure of vehicular access off Moss Street, all vehicular traffic accessing the site off Duff Avenue and the former access off Moss Street becoming a pedestrian access only.

Following consideration the Committee agreed to approve the application, subject to the following conditions:-
1. The development to which this permission relates must be begun not later than the expiration of five years beginning with the date on which this permission is granted.

2. Unless otherwise agreed with the Council, as Planning Authority, the development hereby approved shall be carried out strictly in accordance with the approved plans and conditions.

3. The width of the vehicular access shall be 5 metres and have a maximum gradient of 1:20 measured for the first 5.0 metres from the edge of the public carriageway. Section of access over the public footpath/verge shall be to The Moray Council specification and surfaced in bitmac.

4. No water shall be permitted to drain onto the public footpath/carriageway.

5. A turning area shall be provided within the curtilage of the site to enable vehicles to enter/exit in a forward gear.

6. Thirty-two communal parking spaces clearly delineated shall be provided, maintained and retained throughout the lifetime of the development hereby permitted. Each parking space shall be 2.5m wide and 5m long to comply with Council standards for parking.

7. The number of disabled parking spaces shall be increased to two spaces.

8. No fences, hedge, wall, or any obstruction whatsoever shall be within 2.75 metres of the centre line of the access within the site.

9. The five windows in the west elevations marked X on the approved plan shall be obscured glazed with glass of obscuration level 4 or above of the range of glass manufactured by Pilkington plc at the date of this permission or an equivalent standard agreed in writing by this council (as Planning Authority). Glazing of that obscuration level shall be retained and maintained in those windows throughout the lifetime of the development hereby permitted.

Reasons:

1. The time limit condition is imposed in order to comply with the requirements of Section 58 of the Town and Country Planning (Scotland) Act 1997.

2. In order to ensure that there are no unauthorised departures from the approved plans, which could adversely affect the development or character and amenity of the surrounding properties and area.

3. In the interests of road safety.

4. In the interests of road safety.

5. In the interests of road safety.
6. In the interests of road safety.

7. In the interests of road safety and to comply with Council parking standards.

8. In the interests of road safety.

9. To avoid overlooking of the adjacent property in the interest of residential amenity.

FORRES : WARD 8

(f) 07/01478/FUL ERECT HYDROTHERAPY POOL AS EXTENSION TO FORRES SWIMMING POOL AT BURDSYARD ROAD FORRES FOR MORAY HYDROTHERAPY POOL LIMITED

Under reference to Paragraph 4 (h) of the minute of the meeting of the Environmental Services Committee dated 22 February 2008 there was submitted a report by the Director of Environmental Services recommending that, for reasons detailed in the report, planning consent be refused in respect of an application to erect a hydrotherapy pool as an extension to Forres Swimming Pool at Burdsyard Road, Forres for Moray Hydrotherapy Pool Limited.

The meeting noted that the application had been referred back to Committee given an unsatisfactory resolution of car parking issues. The meeting also noted that the application had been advertised as a departure from the Development Plan to which objections had been received and therefore were the Committee ‘minded to approve’, the application a Hearing was recommended. It was also noted that were the Committee ‘minded to approve’, the application notification to Scottish Ministers would be required, given the Council’s interest in the proposal. Members of the Committee visited the site of the application on Friday 14 November 2008.

There was also circulated to members of the Committee and the Development Control Manager, prior to the meeting, in accordance with the policy decision of December 1991, a representation in support of the application.

Prior to considering the application the Head of Development Services advised the meeting that the Noise Impact Assessment issue had now been resolved and that following further discussions between officials of the Council the car parking issues has also been resolved that the recommendation was now one of approval subject to a proposed legal agreement and condition as detailed on page 72 of the report. The legal agreement related to a potential future additional car parking requirement and the condition related to the provision of two disabled car parking spaces prior to the opening of the pool. He also advised that whilst the obligation, in planning terms, was on the developer to comply with the legal agreement and condition the cost of compliance would be met by the Education Authority. Therefore were the Committee to approve the amended recommendation there would be no financial burden on the developer to comply with these conditions of consent.
The meeting also noted that subsequent to the meeting on 22 February 2008 the objectors to the application had been notified of the Committee’s decision to be minded to approve the application and one objection had been received. However given that no new issues had been raised it was recommended that the Committee note the further representation, which does not raise any new issues, and advise Scottish Ministers of this when referring the application given the Council’s interest.

During discussion concern was expressed in regard to the time taken to process this application and clarification was sought in regard to application timeline.

Following consideration the Committee agreed to:-

(i) approve the application, as complying with policy, subject to the completion of a legal agreement, as set out on page 72 of the Planning Officer’s report and a Condition requiring the applicant to provide 2 disabled parking spaces within the existing reduced car park; and

(ii) that a report on the timeline in respect of various stages of the application be issued to all Members as an information report.

5. TOWN CENTRE AUDITS

There was submitted, for this Committee’s interest in terms of retail policy, a report by the Director of Environmental Services, seeking approval of a proposed format for the annual reporting on the health and vitality of the main centres in Moray and to note the initial survey findings of the business mix and vacancy mix, details of which were set out in sections 3.7 to 3.10 of the report.

The meeting noted that Scottish Planning Policy 8 (SPP8), Town Centres and Retailing, sets out that to support and improve town centres regular monitoring or ‘health checks’ should be carried out. Although no single indicator can effectively measure the ‘health’ of a town centre, the use of a series of these can provide a view of performance and offer a framework for assessing vitality and viability. The purpose of these Audits is to monitor not just retail vitality but to provide an assessment of the business health and civic roles of the centres, the qualitative uses of premises, the condition of property generally, and the ‘customer’ usage of businesses, shops and facilities in the centres.

Following consideration the Committee agreed to:-

(i) approve the proposed format for annual reporting on the health and vitality of the main centres in Moray;

(ii) note the initial survey findings of the business mix and vacancy mix, as detailed in sections 3.7 to 3.10 of the report;

(iii) note the intention to undertake a programme of annual town centre audits for Elgin, Buckie, Forres, Keith and Lossiemouth;
(iv) receive a report on the findings of the second audit by the end of the third quarter of 2009; and

(v) refer the report to the Economic Development & Infrastructure Services Committee for its interest in terms of economic development.

6. VALIDATION OF THE FOOD HYGIENE INSPECTION ALTERNATIVE ENFORCEMENT STRATEGY

Under reference to Paragraph 8 of the Minute of this Committee dated 3 June 2008 there was submitted a report by the Director of Environmental Services inviting the Committee to note the steps taken by the Environmental Health Section to test the validity of the responses to the Food Hygiene Alternative Enforcement Strategy introduced on 27 November 2007.

The meeting noted that 221 businesses responded to the questionnaire, 5% of which were subject to a subsequent inspection to validate their responses, details of which were set out in Appendix 1 to the report. All 27 premises that failed to complete the questionnaire were inspected, as prescribed in the Strategy and Minor Contraventions of Food Law, and the outcome of these inspections was set out in Appendix 2 to the report.

Following consideration the Committee agreed to note the outcome of visits carried out to test the validity of the responses to the Alternative Enforcement Strategy, as detailed in Appendix 1 to the report.

7. PROGRESS REVIEW AGAINST PERFORMANCE INDICATORS, SERVICE IMPROVEMENT PLAN AND REVENUE BUDGETS FOR PERIOD JULY TO SEPTEMBER 2008

There was submitted a report by the Director of Environmental Services advising the Committee on the progress made against targets laid down in the Environmental Services Service Improvement Plan, details of which were set out in Appendix 1 to the report.

The report also provided an update of service improvement against indicators relating to the Development Services Section of the Environmental Services Department, progress against annual revenue budgets and providing an overview of Development Services complaints, details of which were set out in Appendices 2 & 3 respectively. Information in regard to complaints was set out in Section 4.4 of the report.

Following consideration the Committee agreed to

(i) note the progress made against the targets laid down in the Environmental Services Service Improvement Plan 2008 to 2009;

(ii) note the update of Service Performance regarding the Performance Indicators relating to Development Services; and
(iii) note progress against departmental budgets.

8. QUESTION TIME

In response to a question from Councillor Coull, in regard to Member training relative to Planning & Regulatory Services, the meeting noted that it was proposed to provide this training in short bursts following Service Committee meetings.