

ABERDEENSHIRE COUNCIL

WOODHILL HOUSE, ABERDEEN, 18 JUNE, 2015

Present: Councillors W A Agnew, D R Aitchison, Amanda J Allan, Anne M Allan, P J Argyle, P W Bellarby, A A Bews, G Blackett, A S Buchan, C C Buchan, G W Carr, R A Cassie, E H Chapman, R J Christie, G J Clark, K L Clark, L Clark, R Cowling, J B Cox, A J C Cullinane, I Davidson, J B Dick, A C Duncan, A Evison, K A Farquhar, M A Findlater, M A Ford, A Gardiner, J N Gifford, A S Grant, I W Gray, A Hendry, F C P Hood, W Howatson, M F Ingleby, J Ingram, P K Johnston, M C Kitts-Hayes, J J Latham, S M Lonchay, C R McKail, F McRae, T Malone, R J Merson, I J Mollison, C H Nelson, A K Norrie, P Oddie, G L Owen, H Partridge, L Pirie, S W Pratt, E A Robertson, W A C Shand, N J Smith, S W Smith, B H Stuart, I S Tait, R G Thomson, B A Topping, H W Vernal, I M Walker, M Watt and J Webster.

Apologies: Councillors D A Ross, M J Roy, D Stewart and J J Strathdee.

Officers: Chief Executive, Director of Business Services, Director of Communities, Director of Education and Children's Services, Director of Infrastructure Services, Head of Finance, Head of Legal and Governance, Head of Planning and Building Standards, Head of Roads and Landscape Services.

CHAIR

Councillor H W Vernal, Provost of the Council, presided.

THE QUEEN'S BIRTHDAY HONOURS

The Provost advised that eight people from the North East of Scotland had been honoured in the Queen's Birthday Honours List and congratulated Professor Lesley Glover DBE, Dr Andrew Salvesen OBE, Roger Goodyear MBE, Mary Booker BEM, Susan Cameron BEM, Margaret Smith BEM, Gary Coutts MRVO and Roddy Lees QFSM.

1. DECLARATION OF MEMBERS' INTERESTS

The Provost asked members if they had any interests to declare in terms of the Councillors' Code of Conduct. Councillor Norrie declared an interest in Item 6 and stated that she would leave the Chamber during its discussion.

2. RESOLUTIONS

A. PUBLIC SECTOR EQUALITY DUTY

In making decisions on the following items of business, the Council **agreed**, in terms of Section 149 of the Equality Act, 2010:-

- (1) to have due regard to the need to:-
 - (a) eliminate discrimination, harassment and victimisation;
 - (b) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
 - (c) foster good relations between those who share a protected characteristic and persons who do not share it.

- (2) where an Equality Impact Assessment was provided, to consider its contents and take those into account when reaching their decision.

B. EXEMPT INFORMATION

The Committee **agreed**, in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, to exclude the public from the meeting during consideration of Item 16 below so as to avoid disclosure of exempt information of the class described in paragraph 6 of Part 1 of Schedule 7A of the Act.

3. MINUTES

The following Minutes of Meetings were considered and, in regard to delegated matters, were **approved** as correct records, and in relation to non-delegated matters the recommendations were **approved**.

- (1) Aberdeenshire Council on 30 April, 2015.
- (2) Buchan Area Committee on 17 March, 2015.
- (3) Garioch Area Committee on 17 March, 2015.
- (4) Formartine Area Committee on 24 March, 2015.
- (5) Kincardine and Mearns Area Committee on 24 March, 2015.
- (6) Local Review Body on 27 March, 2015.
- (7) Banff and Buchan Area Committee on 31 March, 2015.
- (8) Marr Area Committee on 31 March, 2015.
- (9) Scrutiny and Audit Committee on 1 April, 2015.
- (10) Social Work and Housing Committee on 2 April, 2015.
- (11) Buchan Area Committee on 21 April, 2015.
- (12) Garioch Area Committee on 21 April, 2015.
- (13) Policy and Resources Committee on 23 April, 2015.
- (14) Local Review Body on 24 April, 2015.
- (15) Formartine Area Committee on 28 April, 2015.
- (16) Kincardine and Mearns Area Committee on 28 April, 2015.
- (17) Banff and Buchan Area Committee on 5 May, 2015.
- (18) Marr Area Committee on 5 May, 2015.
- (19) Buchan Area Committee on 12 May, 2015.
- (20) Garioch Area Committee on 12 May, 2015.

- (21) Infrastructure Services Committee on 14 May, 2015.
- (22) Scrutiny and Audit Committee on 21 May, 2015.

4. NOTICE OF MOTION

From Councillor Bellarby:-

“Aberdeenshire Council notes that, currently legislation enables personal care to be provided free for people in Scotland aged over 65, provided they are assessed as needing it.

Of the 85,807 dementia sufferers in Scotland, 3,201 are under the age of 65 and therefore not entitled to the help.

Council commends the campaign by Mrs Amanda Kopel - “Frank’s Law” - to request that Scottish Government extends free personal care to under-65s with dementia.

Council therefore instructs the Chief Executive to write to the First Minister requesting her to consider the introduction of a ‘Frank’s Law’ so that free personal care is extended to under-65s with dementia and for it to be fully funded by the Scottish Government.”

Councillor Bellarby spoke to his motion which was seconded by Councillor A M Allan.

After discussion, the Council **agreed**:-

- (1) to approve the motion, subject to the letter being sent from the Co-Leaders of the Council, and
- (2) that a copy of the letter be circulated to all members of the Council.

5. PLANNING PERMISSION IN PRINCIPLE FOR RESIDENTIAL DEVELOPMENT OF 400 NO. DWELLINGHOUSES (INCLUDING 300 PRIVATE RENTED, 75 AFFORDABLE AND 25 ASSISTED LIVING UNITS), HEALTH CENTRE, EMPLOYMENT USES, FORMATION OF DEESIDE WAY HUB, EXTENSION TO DEESIDE WAY, REALIGNMENT AND IMPROVEMENT TO THE B974, CYCLE PATHS, LANDSCAPING, OPEN SPACE AND ANCILLARY WORKS AT LAND AT BRAEHEAD, AUCHATTIE, BANCHORY (REFERENCE NO. APP/2015/0225)

With reference to the Minute of Meeting of the Marr Area Committee of 5 May, 2015 (Item 11B, Page 2038), a report dated 19 May, 2015, by the Director of Infrastructure Services had been circulated requesting consideration of an application for Planning Permission in Principle for a residential development of 400 no. dwellinghouses (including 300 private rented, 75 affordable and 25 assisted living units), health centre, employment uses, formation of Deeside Way hub, extension to Deeside Way, realignment and improvement to the B974, cycle paths, landscaping, open space and ancillary works at land at Braehead, Auchattie, Banchory.

The report explained that this was a planning application for a Major Development which was significantly contrary to the development plan under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, and was referred to Council under the provisions of Section A16 of the Scheme of Delegation which reserved authority to the Full Council to determine planning applications in such circumstances.

The Head of Planning and Building Standards introduced the application and stated that the key considerations included the principle of development on a site which was not allocated in the Local Development Plan (LDP) and approval of this application could prejudice the ability of allocated sites within the current LDP to be delivered. Approval would also prejudice the

process for the next LDP, which was ongoing. There were already significant allocations for development in Banchory but never to the south. The site was located within wider landscape views from Scolty Hill and on approaches to Banchory, and it was clear that the landscape and visual impacts of the proposal would be significant. It could not currently show that access would be safe, convenient for pedestrians, cyclists and public transport. Although it was argued that the proposal would meet currently unmet local demand for rental housing and would be controlled by S75 Agreement, this did not alter their status in planning terms as 'houses' whether rented or for sale. The provision of 300 houses on unallocated land outwith the settlement failed to comply with the LDP. The Marr Area Committee had agreed to support the officer recommendation to refuse the application and all seven reasons for refusal, and had also put forward three further reasons for refusal relating to impact on tourism, education and the unsustainable nature of the development/reliance upon the private car.

The Provost advised that requests to address the Council had been received from the applicants' agent and objectors, and the Council agreed to hear the deputations prior to the determination of the application.

Mr K Ross on behalf of the applicants addressed the Council in support of the application. He made reference to the challenges faced by the Council in terms of cuts to funding and the lack of affordable housing. He advised that the applicant had funding in place to undertake the development now, that the affordable housing could be ready for tenants in 2016, that the applicant was happy to enter into a Section 75 Agreement to retain the properties in perpetuity for rent, that private rented accommodation was required to provide housing for those who could not afford to buy, that a contribution would be made towards education requirements and that land would be gifted for the provision of health care facilities. In conclusion he urged the Council to recognise that the development would help to meet the needs of local families who could not afford to purchase a property in the Banchory area and would provide housing for key workers.

Following questions from members on why the site had not been brought forward through the LDP process, why the proposal could not use an already allocated site, the actual levels of rent and degree of affordability of the private rented accommodation, the location of the health centre, proposals for realignment of the B974 road and the main access to Banchory being via one bridge, Mr Ross withdrew to the public benches.

Mrs J Davies addressed the Council on behalf of Feughdee West Community Council as an objector to the application. She commented that the proposal was not in the current or proposed LDP and that there were no material considerations to justify it. It represented a new village of 400 houses outside Banchory. Schools were at or near capacity now. There was only one realistic access to Banchory and for many destinations it would be outwith walking distance, resulting in an increase in traffic movements. It would mean the loss of a green field site and would be detrimental to the visual impact at the Bridge of Feugh and Scolty Hill. She questioned the affordability of the private rented accommodation and stated that it only met the minimum of the Council's affordable housing policy and did not provide a mixed range of housing. A substantial number of households had recorded objections to the proposal and the general view of those who attended the public meetings was that it was the worst possible location for such a development.

As there were no questions from members, Mrs Davies withdrew to the public benches.

Mr I Adams, another objector, advised that the points he wished to make had been covered by Mrs Davies and he withdrew his request to speak.

Thereafter, Councillor L Clark, seconded by Councillor K L Clark, moved that the Council agree to refuse planning permission in principle for the seven reasons detailed in section 10.1

of the report and the additional three reasons promoted by the Marr Area Committee detailed in section 5.3 of the report.

After a full debate, the Council **agreed** unanimously to REFUSE Planning Permission in Principle for the following reasons:-

- (1) The proposed development is contrary to the strategic aims of the Aberdeen City and Shire Strategic Development Plan (2014) and approval would prejudice the ability of sites allocated within the Aberdeenshire Local Development Plan to be delivered. As such the proposal is contrary to the aims of Policy 5 Housing land supply and the associated SG Housing1: Housing land allocations 2007-2016 of the Aberdeenshire Local Development Plan (2012).
- (2) The proposed development does not meet any of the policy requirements and significantly exceeds the definition of small scale development as set out in Policy 3 Development in the Countryside and SG Rural Development1: Housing and business development in the countryside of the Aberdeenshire Local Development Plan (2012). No exceptional circumstances exist to permit development of this scale in this location.
- (3) This site is not allocated for business development, and constitutes agricultural/woodland and therefore cannot be considered to be derelict, unused or underused. The proposed business/commercial part of this proposal is therefore contrary to Policy 1 Business development and the associated SG Bus2: Office development of the Aberdeenshire Local Development Plan (2012).
- (4) Due to its scale and location on the south bank of the River Dee on an unallocated site outwith the settlement boundary, the proposal will have a detrimental impact on the existing landscape character and setting of Banchory. The proposal is therefore contrary to Policy 12 Landscape conservation and SG Landscape1: Landscape character of the Aberdeenshire Local Development Plan (2012).
- (5) The proposed location of the medical centre, on an unallocated site which would not be in an accessible location within the settlement, does not comply with Policy 8: Layout, siting and design of new development or SGLSD7: Community Facilities of the Aberdeenshire Local Development Plan (2012).
- (6) The site requires new accesses which currently cannot show that they will be safe, convenient for pedestrians, cyclists and public transport or cause minimal impact on the character of the site and the surrounding area. As such the proposal would be contrary to Policy 9: Developer contributions and SG Developer obligations2: Access to new development of the Aberdeenshire Local Development Plan (2012).
- (7) The proposal would require traffic signals at the Bridge of Feugh which, subject to their location, have the potential to result in a detrimental effect on the character, integrity and setting of the category B listed Tollhouse and Bridge of Feugh contrary to Policy 13: Protecting, improving and conserving the historic environment and SG Historic Environment1: Listed Buildings of the Aberdeenshire Local Development Plan (2012).
- (8) By virtue of its scale and location the proposed development would deter tourists from the local area and have a direct impact on Scolty Hill, the River Dee, Falls of Feugh salmon leap, fishing amenity and general recreational uses in the area to the detriment of the local tourist industry and economy.
- (9) The proposed development would move Banchory Primary School beyond capacity in 2018-19, and Banchory Academy is already at capacity. The proposal would therefore put pressure on existing education facilities in the town.

- (10) The proposed development is in an unsustainable location due to being outwith the settlement boundary and the possible routes available to walk to school would result in reliance upon the private car which in turn renders the development unsustainable and detrimental to the environment and air quality of the surrounding area.

6. FULL PLANNING PERMISSION - NATIONAL FOR CONSTRUCTION OF ONSHORE ELECTRICAL TRANSMISSION CABLES, COMPRISING AN ONSHORE TRANSITION JOINTING PIT, UNDERGROUND CABLES WITHIN A 33KM (APPROXIMATELY) LONG CABLE CORRIDOR AND THE CONSTRUCTION OF 2 NO. SUBSTATIONS SOUTHWEST OF NEW DEER, ALSO INCLUDING TEMPORARY CONSTRUCTION COMPOUNDS, ACCESS TRACKS, LAYDOWN AREAS AND OTHER ASSOCIATED WORKS - NON COMPLIANCE WITH CONDITION 1 OF PLANNING PERMISSION IN PRINCIPLE REFERENCE APP/2014/2430 AT LANDING AT INVERBOYNDIE BAY, BANFF, TRAVELLING TO LAND WEST OF CAIRNBANNO HOUSE, NEW DEER (REFERENCE NO. APP/2015/0478)

With reference to the Minutes of Meetings of (a) the Banff and Buchan Area Committee of 26 May, 2015 (Item 11D), (b) the Buchan Area Committee of 12 May, 2015 (Item 4A, Page 2047), and (c) the Formartine Area Committee of 19 May, 2015 (Item 4D), a report dated 3 June, 2015, by the Director of Infrastructure Services had been circulated requesting consideration of an application for Full Planning Permission - National for the construction of onshore electrical transmission cables, comprising an onshore transition jointing pit, underground cables within a 33km (approximately) long cable corridor and the construction of 2 no. substations southwest of New Deer, also including temporary construction compounds, access tracks, laydown areas and other associated works - Non-Compliance with Condition 1 of Planning Permission in Principle Reference APP/2014/2430 at landing at Inverboyndie Bay, Banff, travelling to land west of Cairnbanno House, New Deer.

The report explained that this was a planning application which was a National Development under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, and was referred to Council under the provisions of Section A16 of the Scheme of Delegation which reserved authority to the Full Council to determine planning applications in such circumstances.

The report stated that a national application would usually require a pre-determination hearing to be held. In this case, as there were no letters of representation and the offer of attending a hearing was declined by the applicant, it was considered that a pre-determination hearing was not required. The application had therefore been reported to the Banff and Buchan, Buchan and Formartine Area Committees to allow members to express their preliminary views. All three Area Committees had agreed to confirm in principle their support for the application. The Head of Planning and Building Standards introduced the application and advised that the officer recommendation was for approval, subject to conditions.

Thereafter, the Council **agreed:-**

- (1) to GRANT Planning Permission in Principle, subject to:-
 - (a) The following conditions:
 - (1) Details of the specified matters listed below shall be submitted for consideration by the Planning Authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No work at either the substations site or the cable route site shall begin until the written approval of the Planning Authority has been given

for the phase covering that site and the development shall be carried out in accordance with that approval.

Specified matters:

Substations Site Phase

- (a) Full details of the layout, siting, external appearance and finishing materials of the proposed substations. This should include the following:
1. Buildings;
 2. Electrical installations;
 3. Walls, fences and other means of enclosure;
 4. How impacts on the following have been avoided, or where avoidance is not possible, mitigated;
 - a) Private water supplies;
 - b) Field drains;
 5. Flood risk;
 6. Assessment of potentially contaminated sites identified in Technical Appendix 3.2A Hydrology, Geology and Hydrology of the Environment Statement Volume 5 dated 5 August 2013.
- (b) Full details of all existing and proposed landscape features, including trees, shrubs or hedging to be retained and proposed at the substations site. A Landscape Maintenance Plan should be provided which shall include short term landscape establishment and longer term ongoing maintenance. Replacement and additional planting should be locally native species of local provenance appropriate to the Buchan area.
- (c) A detailed levels survey of the substations site and cross sections showing the proposed finished platform levels relative to existing ground levels and a fixed datum point.
- This should include full details of the cut and fill works, bunding and earthworks proposed as part of the screening of the substations site with all bunding to be naturally contoured.
- (d) Full details of the proposed means of disposal of foul and surface water from the substations.
- (e) Full details of the proposed means of access to the substations site, including the required visibility splays, parking spaces, turning areas, laybys and passing places.
- (f) A full site specific Drainage Impact Assessment (DIA) shall be submitted which should address the following issues.
- If surface water soakaways are to be used to disperse of surface water; testing and sizing calculations should be done by a suitably competent person and in accordance with BRE Digest 365 or Ciria Project Report 23. Consideration should also be made to the location of the soakaways to ensure a minimum distance of 5m from any building foundations or boundaries.
 - If infiltration testing proves that the ground is impervious then suitable attenuation calculations should be provided to prove that on-site surface water drainage system has adequate storage capacity for a 30

- year return period rainfall event. Prior to a controlled discharge into either an available watercourse or public sewer (to be agreed with Scottish Water), controlled to a pre-development run-off rate.
- Soakaway or Attenuation System construction details to be provided (including discharge control if necessary).
 - A statement on how future maintenance of the proposed substations drainage system will be performed and confirmation of who will be responsible is also required.
 - The 1 in 200 year flood boundary (as shown by SEPA's indicative flood map) extends into the substation area. Depending on where the two substations are to be located a Flood Risk Assessment (FRA) a Flood Risk Assessment may be required.
 - A detailed drawing should be submitted indicating how surface water will be drained from the substations site.
- (g) A full pre-construction survey of protected mammals, within and adjacent to the substations site.
- (h) A Full Mitigation Statement summarising all mitigation measures proposed at the substations site.
- (i) A Route Access Report must be undertaken to establish that abnormal loads can be transported through the trunk roads network safely and agreed with Transport Scotland. The report shall detail any measures temporary or otherwise required to be carried out and should establish that the transportation will not damage any structure along the route path.
- (j) A full Construction and Temporary Works Schedule including plans showing all construction and temporary works, including any borrow pits. The schedule should take into account the following issues:
- Mitigation of wetlands
 - Mitigation of peat
 - Impact on private water supplies
 - Schedule of any watercourse crossings,
 - Mitigation of flood risk
- (k) A Full site specific Construction Environmental Management Plan (CEMP). The CEMP should address the following issues:
- Schedule of Environmental Commitments
 - Pollution prevention measures
 - Sediment management
 - Environmental incidents
 - Water management plan
 - Wet weather management plan
 - Site Waste Management Plan
 - Drainage plan for SUDS for the substation site
 - Appropriate training in the CEMP and PPGs
 - References to relevant Method Statements

For the avoidance of doubt, detailed advice on the information to be submitted can be found in SEPA's consultation response connected with APP/2014/2430 and dated 1 August 2014 (their ref: PCS/134435) Paragraph 4-11. Regulatory advice can be found in Paragraph 12.

- (l) Full details of a programme of archaeological works in accordance with a written scheme of investigation.
- (m) A Noise Impact Assessment should be submitted in relation to the expected noise levels from the substations at the nearest noise sensitive properties. This assessment should take account of permitted noise levels from the approved wind turbine at Abbotshaugh, Greens, New Deer. Details of the noise report and approved noise limits for the wind turbine can be accessed on Aberdeenshire Council's website planning register, planning application reference number APP/2011/3267.
- (n) Full details of all external lighting to be installed at the substations site.
- (o) A Phasing Plan outlining details of the phasing of all construction works of the substation development. Thereafter, development shall be undertaken in accordance with this approved Phasing Plan.
- (p) Full details on the proposed construction access route(s) including the following:
 - Vehicle swept paths for any abnormal load requirements;
 - Phasing plan(s) for the cable and sub-station works which confirms road improvement works required prior to commencement of each phase;
 - Details of the construction access route to determine the locations of structures (e.g. bridges) and street furniture affected by any construction and/or abnormal load vehicle movements;
 - Road improvements/strengthening (either temporary or permanent) required as a result of the survey;
 - Details confirming locations of cable road crossings and proposed works.

Reason: Permission for the development has been granted in principle only and subsequent approval is required for these matters in accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

Cable Route Site Phase

- (q) Full details of the final route of the cables, with proposed micro siting limits. The proposed route should demonstrate how impacts on the following have been avoided, or where avoidance is not possible, mitigated:
 1. Wetlands, especially groundwater dependant terrestrial ecosystems (GWDTEs), which are types of wetlands protected by the Water Framework Directive;
 2. Peatland;
 3. Private water supplies;
 4. Field drains;
 5. Groundwater;
 6. Engineering works in the water environment, for example watercourse crossings (including the River Deveron);
 7. Flood risk;
 8. Listed Buildings (see Informative for buildings omitted from the ES);

9. Assessment of potentially contaminated sites identified in Technical Appendix 3.2A Hydrology, Geology and Hydrology of the Environment Statement Volume 5 dated 5 August 2013.
- (r) Full details of all existing and proposed landscape features, including trees, shrubs or hedging to be retained and proposed throughout the cable route. Replacement and additional planting should be locally native species of local provenance appropriate to the Buchan area. Details should be provided on the reinstatement of walls, woodland, hedges, recreation routes and water courses.
- (s) A full pre-construction survey of protected mammals, within and adjacent to the site. This should include otter resting places within the corridor.
- (t) Full details of any temporary access tracks required along the cable route. This should include a detailed scheme for the reinstatement of the tracks.
- (u) A Full Construction and Temporary Works Schedule including plans showing all construction and temporary works, including any borrow pits. The schedule should take into account the following issues:
- Mitigation of wetlands
 - Mitigation of peat
 - Impact on private water supplies
 - Schedule of watercourse crossings (including the River Deveron),
 - Mitigation of flood risk
- (v) A full site specific Construction Environmental Management Plan (CEMP). The CEMP should address the following issues:
- Schedule of Environmental Commitments
 - Pollution prevention measures
 - Sediment management
 - Environmental incidents
 - Water management plan (terrestrial and freshwater)
 - Wet weather management plan
 - Site Waste Management Plan
 - Drainage plan for SUDS
 - Appropriate training in the CEMP and PPGs
 - References to relevant Method Statements
- (w) Full details of a programme of archaeological works in accordance with a written scheme of investigation.
- (x) A Phasing Plan outlining details of the phasing of all construction works of the cable route development. Thereafter, development shall be undertaken in accordance with this approved Phasing Plan.
- (y) Full details on the proposed construction access route(s) including the following:
- Vehicle swept paths for any abnormal load requirements;
 - Phasing plan(s) for the cable and sub-station works which confirms road improvement works required prior to commencement of each phase;

- Details of the construction access route to determine the locations of structures (e.g. bridges) and street furniture affected by any construction and/or abnormal load vehicle movements;
- Road improvements/strengthening (either temporary or permanent) required as a result of the survey;
- Details confirming locations of cable road crossings and proposed works.

Reason: Permission for the development has been granted in principle only and subsequent approval is required for these matters in accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

- (z) A Full Mitigation Statement summarising all mitigation measures proposed at the cable route site.
- (aa) A Route Access Report must be undertaken to establish that abnormal loads can be transported through the trunk roads network safely and agreed with Transport Scotland. The report shall detail any measures temporary or otherwise required to be carried out and should establish that the transportation will not damage any structure along the route path.
- (2) That the construction operations are limited to 07.00 - 19.00 Monday to Friday and 07.00 - 13.00 on Saturdays only and on Public Holidays. Any night-time operations should be subject to written details of the work times and any noise mitigation measures purposed to be installed being approved by the Planning Department prior to the works commencing.

Reason: In order to protect the amenity of nearby and adjoining residents.

- (b) The following Direction:

DIRECTION UNDER SECTION 59 OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997:

That subsection (2)(a)(i) of section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended) shall apply as respects the permission with the substitution for the period of 3 years referred to in that subsection of 5 years, as is considered appropriate by the Planning Authority in this instance on the basis of the scale of the development. The provisions of section 59(2) shall therefore be read as follows:

That this planning permission in principle shall lapse unless a further application or applications for approval of the matters specified in all condition(s) attached to this grant of planning permission in principle across the entire site has been made before whichever is the latest of the following:

- (i) The expiration of 5 years from the date of this grant of planning permission in principle;
- (ii) The expiration of 6 months from the date on which an earlier application for the requisite approval of matters specified in conditions was refused;
- (iii) The expiration of 6 months from the date on which an appeal against such refusal was dismissed;

Pursuant to Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

- (2) that the reason for the decision is that the proposal is consistent with the Development Plan's aims of reducing carbon emissions and adapting to climate change. It also contributes to the Scottish Government's National Planning Framework of achieving 100% of Scotland's gross annual electricity consumption from renewable sources by 2020.

7. FULL PLANNING PERMISSION FOR CONSTRUCTION AND OPERATION OF A CARBON CAPTURE, COMPRESSION AND CONDITIONING PLANT INCLUDING ASSOCIATED INFRASTRUCTURE (CONTROL ROOM, POWER SUPPLY AND SUBSTATIONS, ACCESS ROAD, WORKSHOP, DRAINAGE, WASTE WATER TREATMENT PLANT, ABSORBER AND REGENERATION TOWERS, STORAGE TANKS, PLANT AND MACHINERY), ELECTRICITY CABLES, LANDSCAPING AND CO₂ EXPORT PIPELINE AT PETERHEAD POWER STATION, BODDAM (REFERENCE NO. APP/2015/0903)

With reference to the Minute of Meeting of the Buchan Area Committee of 2 June, 2015 (Item 4F), a report dated 3 June, 2015, by the Director of Infrastructure Services had been circulated requesting consideration of an application for Full Planning Permission for the construction and operation of a carbon capture, compression and conditioning plant including associated infrastructure (control room, power supply and substations, access road, workshop, drainage, waste water treatment plant, absorber and regeneration towers, storage tanks, plant and machinery), electricity cables, landscaping and CO₂ export pipeline at Peterhead Power Station, Boddam.

The report explained that this was a planning application which was a National Development under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, and was referred to Council under the provisions of Section A16 of the Scheme of Delegation which reserved authority to the Full Council to determine planning applications in such circumstances.

The report stated that the offshore elements of the proposal involved transporting the CO₂ via new and existing pipelines and injecting the CO₂ into the depleted Goldeneye gas reservoir more than 2 km under the seabed of the North Sea. Full planning permission was sought for the aspects of the project that would occur onshore. The onshore works for the Peterhead CCS Project consisted of three parts - modifications to the existing power station, construction of a new carbon capture, compression and conditioning plant and construction of a CO₂ export pipeline between the power station and the low water springs mark. The Buchan Area Committee had agreed to confirm their support for the application. The Head of Planning and Building Standards introduced the application and advised that the officer recommendation was for approval, subject to conditions. In that regard there had been very recent discussions with the applicant about the wording of conditions 7 and 9 in the report and he requested that the Council delegate authority to the Head of Planning and Building Standards to amend the wording of those conditions to provide greater flexibility.

The Provost advised that a request to address the Council had been received from the applicants' agent, and the Council agreed to hear the deputation prior to the determination of the application.

Mr W Lindsay on behalf of the applicants addressed the Council in support of the application. He stated that the idea of a carbon capture and storage project was not new in the area, but for various reasons, previous schemes had not come to fruition. However, the experience of these, as well as a lot of the technical work carried out on them, had greatly assisted and had been used in the development of the current proposal. In many ways, the project was relatively simple. Most of the elements of the technology which it was proposed to use had been used before in the oil and gas industry and was proven technology. The proposal was to capture

the emissions from Peterhead Power Station in a safe and environmentally appropriate way, which would be efficient and cost-effective, maximising the use of existing infrastructure. The project would bring benefits locally and Scotland-wide. As the world's first carbon capture and storage project on gas, this project could see Peterhead lead as a beacon.

As there were no questions from members, Mr Lindsay withdrew to the public benches.

Thereafter, Councillor S W Smith, seconded by Councillor Gardiner, moved that the Council agree to grant full planning permission, subject to the conditions listed in the report, including the amendment by the Head of Planning and Building Standards of conditions 7 and 9.

As an amendment, Councillor Ford, seconded by Councillor Johnston, moved that the Council make an addendum to section 10.2 of the report as follows:-

“However, the Council notes:

1. That the possibility of CCS must not be allowed to divert Scotland from the opportunities presented by renewable energy.
2. That CCS may be useful as a temporary technology to reduce emissions as fossil fuels are replaced by renewable energy, but it must not be used as a justification for new fossil fuel generation.
3. That gas plant CCS retrofit is amongst the most costly options for carbon abatement, compared with energy efficiency measures or replacement renewable energy generation, so other measures to reduce carbon emissions are economically preferable and should be prioritised.”

There followed discussion about the appropriateness of adding the proposed wording to the reason for decision on a planning application. Some members took the view that the Council was determining a planning application and that the wording should not form part of the Decision Notice issued to the applicant. Other members took the view that the wording was simply an expression of opinion that carbon capture, while it would be helpful, was not the solution to climate change. Members concluded that it was necessary to determine the planning application before them and that the issues raised in the proposed wording about the Council's view on carbon capture in relation to climate change were policy matters which should be discussed separately. Councillor Ford, with the agreement of his seconder, then withdrew his amendment, on the understanding that a report on the issues raised in the wording would be submitted to a future meeting.

The Council unanimously **agreed** to suspend Standing Order 3(2) in order to allow the meeting to continue beyond 12.45 p.m.

Thereafter, the Council **agreed**:-

- (1) to GRANT Planning Permission in Principle, subject to:-
 - (a) The following conditions:
 - 01 All mitigation measures shall be implemented in accordance with the proposed mitigation measures outlined in Chapter 17 of the Shell/SSE “Peterhead CCS Project - Onshore Environmental Statement”, submitted to Aberdeenshire Council March 2015.

Reason: In the interests of amenity and minimising environmental impact.

02 That no development in connection with the permission hereby approved shall take place until a Phasing Plan has been submitted to and approved in writing by the local Planning Authority. This shall include;

- Details regarding proposed timing and phasing of each stage of the development
- Timing and phase for the submission of:
 - Construction Environment Management Plan
 - Construction Traffic Management Plan
 - Dust Management Plan
 - Landscape Plan
 - Travel Plan

Development shall be carried out in accordance with the approved scheme.

Reason: In the interests of amenity and minimising environmental impact.

03 That no development involving construction of any of the following areas of the CCS Plant shall take place until full elevations, including colour scheme, for all plant, building, storage vessels and major pipework of that area has been submitted to and approved by the Local Planning Authority:

- a) Waste Water Treatment Plant
- b) Compression & Conditioning Plant
- c) Carbon Capture Plant
- d) Substations
- e) Control Building
- f) Workshop

The plant, vessels, buildings and pipework shall thereafter be finished in accordance with the agreed scheme. These details shall be submitted in accordance with the timescale identified in the Phasing Plan approved in Condition 2.

Reason: In the interests of visual amenity and to ensure that the development does not impact adversely on the local landscape.

04 That no development (other than Site enabling works detailed in 2.8.2 of the Peterhead CCS Project Onshore Environmental Statement) in connection with the permission hereby approved shall take place unless the vehicular access at both the North and South of the site have been upgraded and surfaced in accordance with the details shown on the approved plan.

- The North Access (A90 Sandford Access) to the site shall be constructed in accordance with drawing 29 rev P4 (drg no. MMD-333081-C-DR-00-XX-003 29) submitted by Mott McDonald in support of the application.
- The South Access (A90 Main Site Access) to the site shall be constructed in accordance with drawing 28 rev P5 (drg no. MMD-333081-C-DR-00-XX-002 28) submitted by Mott McDonald in support of the application.

Reason: To ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished.

05 The development hereby approved shall not be brought into use until either;

- (a) it has been demonstrated to the satisfaction of the Planning Authority that no contamination of the ground has been discovered as a result of the construction works; or
- (b) the extent and nature of the contamination discovered has been investigated in accordance with BS 10175:2011+A1:2013- 'Investigation of Potentially Contaminated Sites - Code of Practice' and a suitable scheme for the mitigation of any risks arising from the contamination has been agreed with, and thereafter implemented, to the satisfaction of the Planning Authority.

Reason: In the interests of Public Safety.

- 06 That no development in connection with the permission hereby approved shall take place (other than that agreed within the Phasing Plan approved in Condition 2) until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the local Planning Authority. The approved scheme shall be implemented in full and be maintained until the development is complete.

Reason: In the interests of road safety.

- 07 There shall be no drainage connections to the Trunk Road Drainage System unless otherwise agreed in writing with the Planning Authority in consultation with Transport Scotland.

Reason: To ensure that the efficiency of the existing drainage network is not affected and that the standard of construction is commensurate with that required within the road boundary.

- 08 That a Travel Plan, including timescales for implementation, is required to be submitted to and approved in writing by the local Planning Authority prior to the start of operation of the CCS Plant. The approved scheme shall be implemented in full and be maintained throughout the operation of the development.

Reason: To encourage sustainable travel.

- 09 The developer shall afford access, by prior arrangement, to Geologists from Aberdeen University during any ground-breaking of virgin ground (relating to the areas of land proposed for open cut trenching for the export pipeline). The Geologists shall be afforded access at all reasonable times and allowed to observe work in progress and to record items of interest and finds. The developer shall notify the Planning Authority and Aberdeen University School of GeoSciences in writing, not less than 14 days before work on open cut trenching begins, details of the commencement date and to whom to contact on site to arrange access.

Reason: In the interests of recording and preserving such items of geological importance that may exist within the site.

- 10 The developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the Aberdeenshire Council Archaeology Service on behalf of the Planning Authority, during any ground-breaking of virgin ground (relating to the areas of land proposed for open cut trenching for the export pipeline and HV cables as detailed within Section 13 of the Peterhead CCS Project Onshore

Environmental Statement). The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record and recover items of interest and finds. Terms of Reference for the watching brief will be supplied by the Aberdeenshire Council Archaeology Service. The name of the archaeological organisation retained by the developer shall be given to the Planning Authority and to the Aberdeenshire Council Archaeology Service in writing not less than 14 days before development commences.

Reason: to record items of archaeological interest.

- 11 Within six months following start of operation of the CCS Plant, or other period to be agreed in writing with the Planning Authority, the aggregate hard core in the garden area to the south of Sandford Lodge should be removed, topsoil returned and grass replanted in keeping with the former condition. In addition, details of planting of the former boundaries of the garden shall be submitted to and approved by the Local Planning Authority. The boundaries shall be re-established in accordance with the agreed scheme. All planting shall be completed during the planting season immediately following the completion of the development or such other date as may be agreed in writing with the Planning Authority.

Reason: In order to ensure the timeous reinstatement of the site to ensure that there will be no significant long-term impact on the Lodge's setting from these works.

- 12 That no development in connection with the permission hereby approved shall take place (other than that agreed within the Phasing Plan approved in Condition 2) until a Construction Environment Management Plan has been submitted to, and approved in writing by, the Planning Authority in consultation with SEPA. The approved scheme shall be implemented in full.

Reason: In the interests of landscape and environmental protection.

- 13 That no development in connection with the permission hereby approved shall take place (other than that agreed within the Phasing Plan approved in Condition 2) until a Dust Management Plan for ensuring properties adjacent to the development site are protected from construction and demolition related dust has been submitted to, and approved in writing by, the Planning Authority. The approved scheme shall be implemented in full and be maintained until the development is complete.

In the interests of amenity of neighbours

- 14 That at the phase detailed within the Phasing Plan approved in Condition 2 a scheme of hard and soft landscaping works shall be submitted to and approved in writing by the Planning Authority. The detailed landscape plan should reflect the principles of the Peterhead Southern Gateway Environmental Improvement Masterplan. Details of the scheme shall include:
- (a) plans showing existing and proposed ground levels, relative to fixed datum points, including cut and fill information;
 - (b) details of flanking wall on both sides of each entrance, the height of the wall to match other walling in the area
 - (c) planting design, including in plan form with contours;

- (d) landscape specifications, including plant schedules, species, size of plants, density area and planting beds, number of plants, protection measures;
- (e) existing and proposed services including cables, pipelines and wayleaves;
- (f) the location, design and materials of all hard landscaping works, including lighting, public art, boundary treatments and signage;
- (g) a landscape maintenance plan covering the short term establishment of landscaping and the long term maintenance of these areas. Information should be in plan form with an accompanying programme of annual maintenance operations; and
- (h) a landscape implementation plan setting out a programme for all soft and hard landscaping works.

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

All management and maintenance of the landscaped and open space areas shall be implemented, in perpetuity, in accordance with the approved programme.

Reason: To ensure the implementation of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area and to ensure that the landscaping is managed and maintained in perpetuity.

- 15 That no development in connection with the permission hereby approved shall take place (other than that agreed within the Phasing Plan approved in Condition 2) until details of a temporary footpath located along the north boundary of the site from Sandford Lodge (GB208) linking the A90 with the coastal footpath (Right Of Way GB207) has been submitted to and approved in writing by the local Planning Authority. This shall include details of the footpath, including route, construction, finishes and type of enclosures. The footpath shall be constructed thereafter in accordance with the approved scheme prior to the Right of Way (GB208) being diverted.

Reason: In the interests of maintaining satisfactory access provision throughout the construction phase of the development.

- 16 That prior to the public paths (Rights of Way GB207 & GB208) being re-opened each path shall be restored in accordance with a scheme of reinstatement for that path. Each scheme shall be submitted to and approved in writing by the Planning Authority no less than 6 weeks before the path is to be re-opened. Reinstatement shall be carried out in full accordance with the approved details.

Reason: In order to protect public access and ensure the public paths are retained to an acceptable standard.

- 17 All temporary buildings, equipment, storage areas, plant, fences, roads, laydown areas and car parking areas shall be removed from the site and the land reinstated to the satisfaction of the local Planning Authority, within six months of Start of Operation of the CCS Plant unless otherwise agreed in writing. Details of final reinstatement and restoration proposals for the

temporary facilities/storage areas shall be submitted to and approved by the local Planning Authority prior to the completion of construction works on the Power Station site. Reinstatement shall be carried out in accordance with the approved details.

Reason: In the interests of amenity.

- (b) The following Direction:

DIRECTION UNDER SECTION 58 (2) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 as amended by Planning etc. (Scotland) Act 2006:

That subsection (1) of section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended) shall apply as respects the permission with the substitution for the period of 3 years referred to in that subsection of 5 years, as is considered appropriate by the Planning Authority in this instance on the basis of the scale of the development. The provisions of section 5(1) shall therefore be read as follows:

The planning permission is to lapse on the expiration of a period of 5 years (beginning with the date on which the permission is granted) unless the development to which the permission relates is begun before that expiration.

- (2) that the reason for the decision is that the proposal is consistent with the Development Plan's aims of reducing carbon emissions and adapting to climate change and the Scottish Government's ambition to achieve an 80% reduction in greenhouse gas emissions by 2050. It also contributes to the National Planning Framework aim to demonstrate that CCS is feasible at a commercial scale by 2020, with full retrofit across conventional fossil fuel power stations by 2025-2030, and
- (3) that a report on the policy issues about the Council's view on carbon capture in relation to climate change raised in the wording from Councillor Ford be submitted to a future meeting.

8. CONSULTATION ON A PROPOSED BILL RELATING TO BURIAL AND CREMATION AND OTHER RELATED MATTERS IN SCOTLAND - PROPOSED RESPONSE

With reference to the Minute of Meeting of the Infrastructure Services Committee of 14 May, 2015 (Item 10, Page 2071), a report dated 16 April, 2015, by the Director of Infrastructure Services had been circulated referring to a Scottish Government consultation on a proposed bill relating to burial and cremation and other related matters in Scotland which sought to consolidate and modernise the legislative framework which governs burials and cremations in Scotland. The report stated that the consultation was being undertaken as the Burial Grounds (Scotland) Act 1855 was no longer sufficient for modern purposes and did not give burial authorities the powers that they required to ensure that modern practices could be implemented so that burial remained an affordable and realistic option. The Infrastructure Services Committee had recommended that the Council consider the proposed consultation response attached as Appendix 1 to the report to ensure that the viewpoints of all elected members had been considered prior to the final submission to the Scottish Government.

After discussion, the Council **agreed** to approve the proposed response to the consultation as detailed in Appendix 1 of the report, with the following exceptions:-

- Q11 Do you agree that a minimum distance of 200 yards (182.9 metres) should be required between crematoria and housing? YES.

- Q27 Do you agree with the proposal that full lairs and partially-full and unused lairs should be considered for reuse in certain circumstances with appropriate safeguards in place? Full lairs and partially-full lairs NO, unused lairs YES.
- Q28 Is a period of 75 years sufficient before reuse of a full lair can be considered? NO.
- Q37 Do you agree that headstones and memorials may be reused if appropriate? NO.
- Q40 Is a period of 25 years sufficient before the use of a partially-full or unused lair can be considered? NO, it should be 100 years.
- Q44 Should certain categories of grave - such as Commonwealth War Graves - be automatically excluded from consideration for reuse? YES.

9. REVENUE BUDGET MONITORING TO 31 MARCH, 2015

A report by the Director of Business Services had been circulated setting out the financial position of the Council's revenue budget as at 31 March, 2015, and highlighting significant variances currently identified from agreed budgets, which were being addressed by officers. The report proposed a number of virements and transfers within the budget and that any remaining balance be earmarked in the General Fund balance for future use.

The Council **agreed**:-

- (1) to note the revenue budget monitoring position at 31 March, 2015,
- (2) to approve the budget virements as set out in Appendix 4 of the report,
- (3) to note the balances of the General Fund, HRA and other Statutory and Usable Reserves as set out in Appendix 5 of the report, and
- (4) that, subject to the approval of the requests for end year flexibility and ring fenced funding and confirmation of the figures through the audit process, the remaining balance of £6,418,000 would be earmarked in the General Fund balance for future proposals to come forward to the Policy and Resources Committee.

10. REQUESTS UNDER THE SCHEME OF END YEAR FLEXIBILITY

With reference to the Minute of Meeting of the Policy and Resources Committee of 23 February, 2012 (Item 9, Page 1479), a report dated 13 May, 2015, by the Director of Business Services had been circulated requesting the Council to consider requests to carry forward budgets under the scheme of end year flexibility and to transfer funds to ring fenced reserves. The report explained that the scheme of end year flexibility improved the integration of service planning and multiple year budgeting, allowing services the ability to retain some degree of their current budget to ensure continuity of service delivery, and explained the reasons for the requests.

The Council **agreed**:-

- (1) to approve the requests to carry forward budgets under the scheme of end year flexibility set out in the Appendix to the report totalling £380,000, and
- (2) to transfer funds totalling £5,264,000 to ring fenced reserves.

11. UNAUDITED ANNUAL ACCOUNTS 2014/15 FOR ABERDEENSHIRE COUNCIL AND ITS CHARITABLE TRUSTS

A report dated 13 May, 2015, by the Director of Business Services had been circulated presenting to the Council the unaudited Annual Accounts for Aberdeenshire Council and its Charitable Trusts for 2014/15.

The Committee **agreed** to note the unaudited Annual Accounts for Aberdeenshire Council and its Charitable Trusts for 2014/15.

12. SCRUTINY AND AUDIT COMMITTEE REPORT ON ALTERNATIVE DELIVERY MODELS

With reference to the Minute of Meeting of the Scrutiny and Audit Committee of 11 December, 2014 (Item 9, Page 1273), a report by the Director of Business Services had been circulated detailing the management response to the conclusions and recommendations arising from the Scrutiny and Audit Committee's report on the Alternative Delivery Models investigation.

Councillor Owen, Chair of the Scrutiny and Audit Committee, commented on the main findings of the investigation and then moved, seconded by Councillor Cassie, that the Council approve the management response to the Scrutiny and Audit Committee report on Alternative Delivery Models set out in Appendix 1 of the report.

As an amendment, Councillor Johnston, seconded by Councillor Ford, moved that the Council make an addendum to the management response to recommendation 1 as follows:-

"3rd sector delivery options broadly similar in cost to in-house provision, should be considered at the same time as in-house provision, and the potential social, environmental or economic benefits arising from delivery by the 3rd sector taken into account."

The members of the Council voted:-

| | | |
|----------------------|------|---|
| for the motion | (61) | Councillors Agnew, Aitchison, A J Allan, A M Allan, Argyle, Bellarby, Bews, Blackett, A S Buchan, C C Buchan, Carr, Cassie, Chapman, Christie, G J Clark, K L Clark, L Clark, Cowling, Cox, Cullinane, Davidson, Dick, Duncan, Evison, Farquhar, Findlater, Gardiner, Gifford, Grant, Gray, Hendry, Hood, Howatson, Ingleby, Ingram, Kitts-Hayes, Latham, Lonchay, Malone, McKail, McRae, Merson, Mollison, Nelson, Norrie, Oddie, Owen, Partridge, Pirie, Pratt, Robertson, Shand, N J Smith, S W Smith, B H Stuart, Tait, Thomson, Topping, Vernal, Walker and Webster. |
| for the amendment | (2) | Councillors Ford and Johnston. |
| absent from the vote | (1) | Councillor Watt. |

The **motion was carried** and the Council **agreed** to approve the management response to the Scrutiny and Audit Committee report on Alternative Delivery Models set out in Appendix 1 of the report.

13. LOCAL SCRUTINY PLAN 2015/16 (ABERDEENSHIRE PERFORMS)

A report dated 24 April, 2015, by the Director of Business Services had been circulated, together with the Audit Scotland Local Scrutiny Plan for Aberdeenshire Council for 2015/16. The report stated that the Local Scrutiny Plan set out the planned external scrutiny activity for the Council based on a shared risk assessment undertaken by a Local Area Network (LAN) made up of representatives of all the main local government audit and inspection agencies including Audit Scotland, Education Scotland, the Scottish Housing Regulator, Care Inspectorate and the council's external auditors (appointed by Audit Scotland) Deloitte. It drew on evidence from a range of sources, including annual reports from the Council's external auditors and inspection reports, as well as the Council's own performance and self-evaluation data. This was the first year that Audit Scotland had prepared a Local Scrutiny Plan for each Council. The revised approach was more focused and concise detailing only those areas identified by the LAN as requiring ongoing oversight or that were identified as a scrutiny risk.

The Committee **agreed**:-

- (1) to note the Local Scrutiny Plan for Aberdeenshire Council for 2015/16, and
- (2) to remit the Local Scrutiny Plan to the Scrutiny and Audit Committee for ongoing monitoring.

14. APPOINTMENT OF ELECTED MEMBERS TO COMMITTEES, SUB-COMMITTEES, STATUTORY BODIES, PARTNERSHIPS AND INTERNAL MEETING GROUPS

With reference to the Minute of Meeting of 8 June, 2015 (Item 4), a report dated 10 June, 2015, by the Director of Business Services had been circulated requesting the Council to (a) confirm the membership and substitute members of committees, statutory bodies, partnerships and internal meeting groups deferred at the previous Special Meeting of the Council on 8 June, 2015, as listed in section 2.1 of the report, (b) appoint a Chair and Vice Chair of the Appointments Committee, and Chairs for the Appeals, Industrial Cases and Procedures Committees, deferred at the previous said meeting of the Council, (c) nominate the substitute members of partnerships and other bodies deferred at the previous said meeting of the Council, as listed in section 2.2 of the report, and (d) note the current position regarding Aberdeenshire Community Health Partnership, the Joint Investment Advisory Committee and Aberdeen University Court, as listed in section 2.2 of the report and determine what action to take in each case.

The Committee **agreed** to confirm memberships and substitute members, appoint Chairs and Vice Chairs and consider nominations to groups as follows:-

Appeals Committee - Councillors Ingram (Chair), Blackett, Ross, Shand and Tait.

Appointments Committee - Councillors Thomson (Chair), Kitts-Hayes (Vice Chair), C C Buchan, Gifford, Johnston and N J Smith (substitutes Councillors Blackett, Cox, Duncan and Vernal).

Industrial Cases Committee - Councillors Aitchison (Chair), Argyle, A S Buchan, Cox, McKail, Partridge, Roy, S W Smith (substitutes Councillors Cassie, Evison, Latham and Mollison).

Procedures Committee - Councillors Vernal (Chair), Johnston, Malone, Owen, Pirie, Pratt, Robertson and B H Stuart (substitutes Councillors Bellarby, Cox, Farquhar and Hendry).

Grampian Valuation Joint Board - Councillors Gray, Hood, Lonchay, Owen, Pirie and N J Smith (substitutes Councillors A J Allan, A S Buchan, Davidson, Evison and Strathdee).

Transitional Leadership Group - Councillors A M Allan, Christie, Grant, Howatson and Robertson.

Future Governance Working Group - Councillors Thomson (Chair), Aitchison, Cox, Evison, Ford, Gifford, Howatson, Owen, Pratt, Robertson, N J Smith, Tait, Vernal and Webster.

Aberdeenshire Community Health Partnership - The Council made no appointments as this organisation was no longer in existence.

Aberdeenshire Community Planning Board - substitutes Councillors Blackett, K L Clark, Pirie and Tait.

North East Scotland Transport Partnership (NESTRANS) - substitutes Councillors Johnston, Latham, Mollison and S W Smith.

Strategic Development Planning Authority (SDPA) - The Council unanimously **agreed** to suspend Standing Order 18 to enable reconsideration of a decision made in relation to SDPA membership at its meeting on 8 June, 2015, and thereafter **agreed**:-

- (1) to appoint Councillor Aitchison as a substantive member of the SDPA instead of Councillor Merson, and
- (2) to appoint Councillors Gifford, Gray, Owen, Pratt, Robertson and S W Smith as substitute members of the SDPA.

Joint Investment Advisory Committee - The Council made no appointments as this organisation was no longer in existence.

Aberdeen University Court - Having been advised that the University Court had requested that any change in the Council's nomination be with effect from the start of the next academic year, the Council **agreed** to defer consideration of making a nomination to this body until a future meeting.

15. DEFINITION OF POLITICAL GROUPS, LEADERS AND SENIOR COUNCILLORS

With reference to the Minute of Meeting of 8 June, 2015 (Item 6), a report dated 11 June, 2015, by the Director of Business Services had been circulated requesting the Council to consider whether any further changes were required to its decision of 28 June, 2012, wherein it agreed the recognition of the Political Groups, their Leaders and Senior Councillors for the purposes of consultation in relevant policies and procedures, following its decision of 8 June, 2015, relating to the definition of Leader of the Council, Deputy Leader of the Council and Co-Leaders of the Council. The report proposed that, having established the definition of Leader of the Council and Deputy Leader, the Council might wish to consider whether any further changes were required to the definitions for Group or Political Group, Group Leader and Senior Councillor, taking into account the emergence of job-share arrangements.

The Council **agreed** to adopt the following definitions:-

Group or Political Group - any two or more members of the authority who wish to be treated as a group or political group and have formally notified the Chief Executive of this intention.

Group Leader or Co-Leaders - a member or members of the authority named to act as the leader of a group or political group and notified to the Chief Executive.

Leader of the Council - the Chair of the Policy and Resources Committee*

Deputy Leader of the Council - the Vice-Chair of the Policy and Resources Committee*

*= The Chair of the Policy and Resources Committee may elect to job-share the roles of Leader of the Council and Deputy Leader of the Council with the Vice-Chair of the Policy and Resources Committee and, if the Vice-Chair agrees, they will then be Co-Leaders of the Council.

Co-Leaders of the Council - the combined roles of Leader and Deputy Leader of the Council that is brought about in the circumstances whereby the Chair and Vice Chair of Policy and Resources Committee elect to job-share the role of Leader and Deputy Leader.

Senior Councillor - a Councillor who holds a significant position of responsibility in the Council's political management structure, namely the Provost and Deputy Provost, the Leader and Deputy Leader, a group leader, the Chair and Vice Chair of a Policy Committee (including Scrutiny and Audit Committee) and the Chair of an Area Committee.

16. ARRANGEMENTS FOR THE PURCHASE OF A HOUSING DEVELOPMENT BY CREATE HOMES ABERDEENSHIRE LLP

With reference to the Minute of Meeting of the Policy and Resources Committee of 15 January, 2015 (Item 15, Page 1375), a report dated 9 June, 2015, by the Director of Communities had been circulated requesting the Council to approve arrangements for the purchase of a housing development by Create Homes Aberdeenshire LLP. The report stated that the proposals would normally have been referred to the Policy and Resources Committee for approval but the purchase was subject to a commercial deadline.

The Council **agreed** to approve consent to borrow £2,453,000 to lend to Create Homes Aberdeenshire LLP to enable the purchase of 24 mid-market rental affordable housing units from Stewart Milne Homes.