

ABERDEENSHIRE COUNCIL

INFRASTRUCTURE SERVICES COMMITTEE

WOODHILL HOUSE, ABERDEEN, 25 JUNE, 2015

Present: Councillors D R Aitchison (Chair), W A Agnew, P J Argyle, J B Cox, A Gardiner, J J Latham, C R McKail (substitute for Councillor Roy), R J Merson, I J Mollison, C H Nelson, H Partridge, S W Smith, B H Stuart and B A Topping (substitute for Councillor Lonchay).

Apologies: Councillors S M Lonchay and M J Roy.

Officers: Director of Infrastructure Services, Head of Planning and Building Standards, Head of Roads and Landscape Services, Head of Transportation, Head of Economic Development, Planning Manager (Ms Stewart), Legal Service Manager (Governance), Chief Accountant and Senior Auditor (Mr Harvey).

1. DECLARATION OF MEMBERS' INTERESTS

The Chair asked members if they had any interests to declare in terms of the Councillors' Code of Conduct.

Councillor Mollison declared an interest in Item 7 in relation to Business Gateway as a Director of Enterprise North East Trust.

2. RESOLUTIONS

A. PUBLIC SECTOR EQUALITY DUTY

In making decisions on the following items of business, the Committee **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 Council **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 classes described in paragraphs 1, 12 and 14 of Part 1 of Schedule 7A of the Act.

PRESENTATION

3. FRASERBURGH AND PETERHEAD TO ABERDEEN TRANSPORT STUDY

The Chair introduced Paul Finch, Principal Engineer (Transportation), who was in attendance to provide the Committee with an overview of the Fraserburgh and Peterhead to Aberdeen Transport Study. He advised that the purpose of the study was to identify and examine the options for improving strategic transport connections between Fraserburgh, Peterhead and Aberdeen incorporating the Energetica corridor. The study area also included Ellon, Mintlaw, Dyce, three harbours and Aberdeen International Airport. The approach taken was based on Scottish Transport Appraisal guidance and there had been extensive engagement with a range of stakeholders. Initial views had shown that the public were very pro-rail with a strong call for the reopening of the Formartine/Buchan railway line, as well as dualling of the A90 and safety improvements. However responses from business were very pro-road, stating that rail options would benefit commuters rather than business operations and that freight would continue to be road based. The next steps would include public drop-in sessions and further member briefings, with reports being submitted to Area Committees, NESTRANS and Infrastructure Services Committee in early 2016.

The Committee **agreed** to thank Mr Finch for his informative presentation.

PLANNING AND BUILDING STANDARDS

4. PLANNING PERMISSION IN PRINCIPLE FOR ERECTION OF DWELLINGHOUSE AT SITE AT LOWER PLAIDY, KING EDWARD - REFERENCE NO. APP/2015/0061

With reference to the Minute of Meeting of the Banff and Buchan Area Committee of 5 May, 2015 (Item 17C, Page 2013), there had been circulated a report dated 25 May, 2015, by the Director of Infrastructure Services requesting consideration of an application for planning permission in principle for the erection of a dwellinghouse at a site at Lower Plaidy, King Edward, which the Banff and Buchan Area Committee had recommended for approval as it did not consider the application to be a departure from the Local Development Plan. The report stated that the main issue relating to this application was whether the proposal met the requirements of Policy 3; Development in the countryside and SG Rural Development 1: Housing and business development in the countryside, in particular whether granting permission for this house would mean that the 20% limit on additions to existing cohesive groups had been exceeded. The Banff and Buchan Area Committee considered that there were already nine houses in close proximity to the proposed development and that all of these houses constituted a "cohesive group", so the addition of one more house would not exceed the 20% limit which the policy placed on additions to a cohesive group within the lifetime of the Local Development Plan. On the basis that the "cohesive group" was made up of all nine houses, the Banff and Buchan Area Committee took the view that the proposal complied with Policy 3: Development in the countryside and related SG Rural Development 1: Housing and business development in the countryside as contained in the Local Development Plan.

Councillor Cox, seconded by Councillor Partridge, moved that the Committee delegate authority to the Head of Planning and Building Standards to grant planning permission in principle, subject to:-

- (a) the conclusion of negotiations regarding Developer Obligations, and
- (b) conditions to cover the following matters:-
 1. Details of specified matters;
 2. Roads and access;
 3. Energy efficiency requirements;

4. Foul and surface water drainage.
5. Landscape and boundary treatments

As an amendment, Councillor Argyle, seconded by Councillor Agnew, moved that the Committee refuse planning permission in principle for the following reason:-

1. The proposed development does not comply with Policy Hou\4: New Housing in the Countryside including the Aberdeenshire part of the Cairngorms National Park, or Policy Hou\5: Cohesive Groups in the Rural Housing Market Area, as contained in the Aberdeenshire Local Plan 2006 (ALP), in that it does not constitute a new house which is essential to the efficient operation of an enterprise, which is in itself appropriate to the countryside; or the erection of a single house within an existing cohesive group of at least 5 houses.

The members of the Committee voted:-

for the motion	(6)	Councillors Cox, Gardiner, McKail, Partridge, Stuart and Topping.
for the amendment	(8)	Councillors Agnew, Aitchison, Argyle, Latham, Merson, Mollison, Nelson and S W Smith.

The amendment was carried and the Committee **agreed** to REFUSE Planning Permission in Principle as detailed in the amendment.

PLANNING POLICY AND ENVIRONMENT

5. PROPOSED ABERDEEN LOCAL DEVELOPMENT PLAN

There had been circulated a report dated 11 May, 2015, by the Director of Infrastructure Services advising that Aberdeen City Council had published its Proposed Aberdeen Local Development Plan on 20 March 2015. The report stated that the period for receiving representations expired on 1 June 2015, which did not allow for the Infrastructure Services Committee to discuss the proposed plan. Officers had therefore sent a draft observation attached as Appendix 1 of the report and Aberdeen City Council had confirmed that they would allow Aberdeenshire Council to provide a late submission following discussion by the Infrastructure Services Committee.

The Head of Planning and Building Standards commented that, as the proposed Aberdeen Local Development Plan raised no issues of conflict with Aberdeenshire Council's proposed Local Development Plan, no formal representation required to be made. However, there were some areas of concern which could be noted, in particular that more weight needed to be given to traffic impacts following the relocation of the Aberdeen Exhibition and Conference Centre (AECC) to Bucksburn.

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

- (1) to note the content of the officer observation attached as Appendix 1 of the report,
- (2) to confirm that Aberdeenshire Council did not wish to make a formal representation to Aberdeen City Council on the Proposed Aberdeen Local Development Plan, and
- (3) to send a strongly worded letter to Aberdeen City Council listing the Committee's concerns about the proposed Aberdeen Local Development Plan, which would be signed by the Chair and Vice Chair of the Committee.

6. PROVISION OF ARCHAEOLOGY SERVICES TO ABERDEEN CITY COUNCIL

There had been circulated a report dated 25 May, 2015, by the Director of Infrastructure Services advising that Aberdeen City Council had approached Aberdeenshire Council with a view to entering into a three year agreement for the provision of expert archaeological advice and assistance in relation to local development plans, master plans, planning and other applications as well as ongoing maintenance and updating of the Sites and Monuments Record. Aberdeenshire Council had been providing a limited Archaeology Service to Aberdeen City Council under a fixed contract since January 2015, and the proposed agreement would represent a logical extension of the geographical coverage presently provided and ensure that consistent archaeological advice was delivered across the north east of Scotland.

The Committee **agreed** in principle that Aberdeenshire Council Archaeology Service enter into an agreement for the provision of Archaeology Services to Aberdeen City Council for an initial period of three years at a cost of £30,000 per annum.

GENERAL

7. INFRASTRUCTURE SERVICES QUARTER 4 PERFORMANCE - JANUARY TO MARCH 2015 AND YEAR END 2014/15 (ABERDEENSHIRE PERFORMS)

With reference to the Minute of Meeting of 15 May, 2014 (Item 5, Page 1878), there had been circulated a report dated 2 June, 2015, by the Director of Infrastructure Services detailing the quarterly performance monitoring for Infrastructure Services for January to March, 2015, and progress being made in respect of the projects/action plans in the Infrastructure Services Service Plan for 2014-2017. The report commented on the five performance measures which were showing performance significantly above target and the seven performance measures which were currently demonstrating performance below expectations and the actions being taken to improve performance.

During discussion, members commented and asked questions on the undernoted key performance measures (KPMs) which were answered by officers.

- KPM 1.4b relating to the number of jobs created or safeguarded by provision of grants and loans through the Support for Aberdeenshire Business Scheme
- KPM 2.6g relating to the % of commercial and industrial properties occupied at the end of the period
- KPM 5.4 relating to the length of path in the Core Paths Plan opened or improved annually
- KPM 6.3 relating to the number of Trading Standards customer complaints received and the % dealt with within 14 days
- KPM 6.5 relating to the % of unauthorised gypsy traveller encampments complying with Code of Conduct and Council policy

Thereafter, the Committee **agreed**:-

- (1) to acknowledge the good performance achieved in January to March 2015 (Quarter 4) identified in Appendix 1 of the report,
- (2) to note those measures where performance was below expectations in January to March 2015 identified in Appendix 2 of the report,
- (3) to note the publication of the complete January to March 2015 Performance Report on Ward Pages and on the Council's website; and

- (4) to request the Director of Infrastructure Services to continue to report to the Committee quarterly on performance measures against service objectives and six monthly on progress in delivering all aspects of the Service Plan.

TRANSPORTATION

8. ROAD ASSET MANAGEMENT - UPDATE

With reference to the Minute of Meeting of 4 October, 2012 (Item 10, Page 1048), there had been circulated a report dated 11 June, 2015, by the Director of Infrastructure Services providing an update on progress of the Council's Road Asset Management Plan to assess the condition of the Council's road network and develop options for prioritising expenditure on road maintenance. The report stated that from 2016/17, Councils would be required to include the asset value of their infrastructure in their annual accounts. The value that would appear in the annual accounts was the Depreciated Replacement Cost (DRC) of the road network. With the depreciated replacement cost of the Aberdeenshire road network at around £5 billion, it was clearly important that the Council should adopt a road maintenance strategy that protected the value of this very substantial public asset. Aberdeenshire Council currently had a Road Condition Indicator (RCI) of 25.4 calculated for 2014/15, indicating that 25.4% of the road network should be considered for maintenance treatment. This was the second best RCI in Scotland and could be taken as indicating that the Council had consistently applied effective road maintenance policies and practices over a long period.

The Committee **agreed** to endorse the work of officers in using a Road Asset Management Plan model to develop options for prioritising expenditure on road maintenance.

ROADS AND LANDSCAPE SERVICES

9. FLOOD RISK MANAGEMENT (SCOTLAND) ACT 2009 - DRAFT PRIORITISED LIST OF ACTIONS

With reference to the Minute of Meeting of 14 May, 2015 (Item 12, Page 2072), there had been circulated a report dated 11 June, 2015, by the Director of Infrastructure Services providing an update on progress of the Council's draft implementation plan and priority list of actions identified for reducing flood risk in each of the potentially vulnerable areas within the Aberdeenshire area of the Tay Estuary and Montrose Basin Local Plan District. The report stated that public consultation on the draft implementation plan ran from 2 March until 2 June 2015 and the final flood risk management plan and the actions it contained would be dependent on views expressed in the consultation, the competing priorities for other vulnerable areas, available funding, and further analysis of the efficacy of any particular measure. The Scottish Environment Protection Agency (SEPA) would produce a flood risk management strategy for each local plan district in December 2015, and the lead local authority would produce a local flood risk management plan by June 2016.

The Committee **agreed**:-

- (1) to endorse Version 2.0 of the priority list of actions for flood protection works; flood protection studies; strategic improved understanding; and flood warning schemes,
- (2) to note that Version 3.0 would include any information incorporated from the public consultation comments that concluded on 2 June 2015, as well as any comment from Infrastructure Services Committee or partners within the North East Local Plan District,
- (3) to note that Version 4.0 would accommodate recommendations from the National Prioritisation Working Group, and this would be reported back to Infrastructure Services Committee in due course, and

- (4) to note the progress of surface water management plans and the Aberdeen Integrated Catchment Study within Aberdeenshire and how these aligned to flood risk management planning.

ECONOMIC DEVELOPMENT

10. ABERDEEN CITY AND SHIRE STRATEGIC TOURISM REVIEW UPDATE

With reference to the Minute of Meeting of 27 November, 2014 (Item 13, Page 1166), there had been circulated a report dated 26 May, 2015, by the Director of Infrastructure Services providing an update on progress of the current tourism review and seeking approval for detailed discussion on the option to develop one body to provide tourism marketing and related activities for Aberdeen City and Shire. The report stated that the Aberdeen City and Shire Area Tourism Partnership (ATP) had tendered for an expert destination tourism consultancy to carry out the review and appointed destination consultants, Blue Sail, to advise on sustainable support structures for tourism based on a review of the opportunities for the area. The initial findings of the review were recommending that three of the four Destination Management Organisations (DMOs) currently operating in Aberdeen City and Shire merge - Royal Deeside, Banffshire Coast and Visit Aberdeen, with close working relationship with the Cairngorm Business Association. This new organisation would also incorporate the ATP, and would undertake the marketing functions currently carried out by the current DMOs and Aberdeenshire Council. There was now a need to discuss the detail and scope of the proposal with all those affected over the summer period and to report back to Committee in either October or November 2015 with final proposals and the implications for the Council.

Councillor Argyle, seconded by Councillor Mollison, moved that the Committee accept the recommendations 1.1 and 1.2 as printed in the report.

As an amendment, Councillor S W Smith, seconded by Councillor Aitchison, moved that the Committee:-

- (1) note the progress of the Aberdeen City and Shire strategic review of tourism, and
- (2) authorise officers to engage in detailed discussions on the potential scope of the proposed new organisation to provide tourism marketing and related activities for Aberdeen City and Shire, Council resourcing and Council representation on the Board of the new organisation and to report back to this Committee for a final agreement on Council support, including further consideration of potential alternatives.

The members of the Committee voted:-

for the motion	(7)	Councillors Agnew, Argyle, Gardiner, Latham, McKail, Mollison and Nelson.
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for the amendment	(7)	Councillors Aitchison, Cox, Merson, Partridge, S W Smith, Stuart and Topping.
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There being an equality of votes, the Chairman exercised his casting vote and declared the **amendment carried** and the Committee **agreed**:-

- (1) to note the progress of the Aberdeen City and Shire strategic review of tourism, and
- (2) to authorise officers to engage in detailed discussions on the potential scope of the proposed new organisation to provide tourism marketing and related activities for Aberdeen City and Shire, Council resourcing and Council representation on the Board

of the new organisation and to report back to this Committee for a final agreement on Council support, including further consideration of potential alternatives.

11. ACSEF AND ENERGETICA - PROGRESS REPORT

With reference to the Minute of Meeting of 29 January, 2015 (Item 10, Page 1473), there had been circulated a report dated 28 May, 2015, by the Director of Infrastructure Service providing an update on progress with regard to Aberdeen City and Shire Economic Future (ACSEF), including Energetica, since the last report to the Committee. The report stated that the ACSEF Board had held four meetings to date in 2015 and the next meeting would be held on 26 June, with the main agenda items scheduled to be the Regional Food and Drink Strategy, along with the review of tourism delivery structures in the region.

The Committee **agreed**:-

- (1) to note the actions being taken by Aberdeen City and Shire Economic Future and the discussions of Board Meetings; and
- (2) to seek a progress report within six months.

12. ABERDEENSHIRE REGENERATION AND TOWN CENTRES UPDATE

With reference to the Minute of Meeting of 19 March, 2015 (Item 10, Page 1742), there had been circulated a report dated 25 May, 2015, by the Director of Infrastructure Services providing an update on progress of delivery of the Regeneration Action Plan and the need for the Regeneration Member/Officer Working Group to continue in its role of giving oversight and direction to officers in delivering the Regeneration Strategy and the 4 Towns Action Plans. The report stated that, since the last update report, the focus of the Fraserburgh regeneration team had been on the conclusion of the Retail Plus project and towards refreshing the action plan with some new projects.

The Committee **agreed**:-

- (1) to note the progress made on the Regeneration Strategy Action Plan detailed in Appendix 1 of the report and the progress made on the 4 Towns Programme detailed in Appendices 2 and 3 of the report,
- (2) that officers report to the Committee on the progress of regeneration and town centres action plans every six months,
- (3) that the opposition spokesperson be added to the membership of the Regeneration Member/Officer Working Group, and
- (3) to approve the continuation of the Regeneration Member/Officer Working Group to oversee progress on regeneration and town centre plans, and that a report be submitted to the August meeting of the Committee on the remit and scope of the group.

The Committee unanimously **agreed** to suspend Standing Order 20(8)(c) in order to allow the meeting to continue beyond 12.45 pm.

PROTECTIVE SERVICES AND WASTE MANAGEMENT

13. KOMMUNENES INTERNASJONALE MILJØORGANISASJON (KIMO)

There had been circulated a report dated 29 May, 2015, by the Director of Infrastructure Services which provided an update on KIMO, an organisation of European coastal local

authorities which was established in 1990 to address the issue of pollution of the northern seas. Since 1990 membership had grown to over 100 local authorities drawn from countries with a North Sea coastline. The report included information on the approved minutes of KIMO UK meetings, the KIMO Annual Report 2014 and the involvement of KIMO in the preparation of a regional action plan on marine litter in the North-East Atlantic and the development of the Scottish Marine Litter Strategy.

The Committee **agreed**:-

- (1) to note the activities as described in the KIMO Annual Report 2014, and
- (2) to acknowledge the completed Partnership Assessment attached as Appendix 1 of the report.

14. HEALTH AND SAFETY PLAN

There had been circulated a report dated 24 April, 2015, by the Director of Infrastructure Services, together with the Environmental Health Workplace Health and Safety Plan 2015/16. The report stated that the plan detailed the local authority arrangements for contributing to current priorities, taking account of local needs while addressing national priorities as set out by the Health and Safety Executive in its current strategic plan. It identified both reactive and proactive work and included details of planned promotional and educational activities to be undertaken during the current year.

The Committee **agreed** to approve and adopt the Health and Safety Service Plan 2015/16, as detailed in Appendix 1 of the report, for implementation by the Council as a health and safety enforcement authority.

Thereafter, the Committee **agreed** to send their best wishes to Ian Robertson, Head of Protective Services and Waste Management, who was currently in hospital.

BUSINESS SERVICES

15. INTERNAL AUDIT REPORTS

There had been circulated a report dated 15 June, 2015, by the Chief Internal Auditor on recent internal audit reports outlining audits into Quarries and Vehicle Usage, together with an appendix setting out the progress made by services in implementing recommendations made in previous internal audit reports which should have been implemented by 30 April, 2015.

The Committee **agreed** to note the contents of the report and the attached appendix.

16. INTERNAL AUDIT REPORTS

There had been circulated a report dated 15 June, 2015, by the Chief Internal Auditor, together with an appendix setting out the progress made by services in implementing recommendations made in previous internal audit reports which should have been implemented by 30 April, 2015.

The Committee **agreed** to note the contents of the report and the attached appendix.