

## ABERDEENSHIRE COUNCIL

### INFRASTRUCTURE SERVICES COMMITTEE

WOODHILL HOUSE, ABERDEEN, 24 AUGUST, 2017

- Present:** Councillors P J Argyle (Chair), W A Agnew; D A Aitchison, G Carr, R Cassie (as substitute for Cllr S Smith), J B Cox, M A Ford (as substitute for Cllr P K Johnston), J Ingram, J Latham, D Lonchay, I J Mollison, D Robertson (as substitute for Cllr G Blackett), R Withey, and Cllr J Whyte (as substitute for Cllr C Pike).
- Apologies:** Councillors Blackett, Johnston, Pike, and S Smith.
- Officers:** Director of Infrastructure Services, Head of Service (Economic Development and Protective Services), Head of Service (Transportation), Head of Service (Roads, Landscape, & Waste Services), Service Manager (Facilities and Funding), Service Manager (Business and Community Service), Roads Policy & Asset Manager, Strategy Manager (Transportation), Roads Policy Officer, and Chief Accountant, Principal Solicitor (Democratic Services), Environment Planner (E Williams), and Committee Officer (J McRobbie).

#### 1. DECLARATION OF MEMBERS' INTERESTS

There were no interests declared.

#### 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
  - (d) 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 a decision.

#### ELEVATOR – PRESENTATION BY GARY MCEWAN AND ANDREW BURNETT, BUSINESS GATEWAY

The Chair, on behalf of the Committee, welcomed Professor Gary McEwan and Mr Andrew Burnett, Chief Executive and Operations Director of ELEVATOR (formerly Enterprise North East Trust), to the meeting, which heard a presentation on the ongoing work of Elevator and the Business Gateway.

Professor McEwan spoke of the high level of performance of the Aberdeenshire Business gateway, comparing favourably with performance elsewhere in Scotland; his conviction that the strong start up culture and range of skills in the economy of North East Scotland went hand in hand. Initially it had been expected that Aberdeen City and Aberdeenshire might contribute 1,000 start-ups to the delivery of the national target of 10,000; over the last two and a half years, there had been an increase in both start-ups and in the growth of existing businesses. A new centre of entrepreneurship had been established in the Bridge of Don, but with localised delivery also taking place in 19 regional locations.

Mr Burnett spoke of his 30 years' experience in delivering in the region for small and medium enterprises, the identification of the areas of highest growth potential, and the delivery of appropriate support. The access was free engaging with a high number of potential start-ups, supported by a national framework and website, complemented by local training and business advice.

The centre at the Bridge of Don was a flagship, working with the local delivery teams to support the "Making it happen" ethos. An exciting area of work was developing relationships and inspiring the next generation of entrepreneurs, with an increasing focus on schools. The 2016 ELEVATOR conference had involved over 1300 attendees, (compared with 150 five years ago,) and had been hosted by the North East Scotland College (NESCOL) and had used inspirational leaders to challenge activities, including leadership skills. It was important to join all the dots and present a comprehensive range of development opportunities for the north east of Scotland.

Mr Burnett advised Members that Elevator as Business Enterprise had consistently met its targets and was on course to deliver 1350 new starts across Aberdeen City and Shire, compared to 990 in 2012/13. The organisation was well resourced to support the local interests of entrepreneurs, including a very structured and defined process to accelerate business. All focus was on building the future pipeline of clients to the benefit of the north east economy – Making it happen.

Members asked questions on the survival rates for north east start-ups; comparisons with national achievements; the high levels of qualitative feedback; working with existing businesses to promote their growth and development; the wide spectrum of businesses supported through the Business Enterprise scheme; the balance between supporting existing business and encouraging new enterprise; consideration of the concept of wage economy shifts and income replacement; the growth of opportunities displaced from oil and gas; the importance of supporting diversity; and the challenges of digital connectivity across the Shire.

There being no further questions, the Chair, on behalf of the Committee, thanked Professor McEwan and Mr Burnett, for their interesting and informative presentation.

## **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 the items 20 and 21 so as to avoid disclosure of exempt information of the classes described in paragraphs 6, 8, and 9 of Part 1 of Schedule 7A of the Act.

### 3. Minutes

#### (A) Minute Of Meeting Of Infrastructure Services Committee Of 1 June, 2017

The Committee had before them, and **approved** as a correct record, the Minute of Meeting of 1 June, 2017.

#### PLANNING AND BUILDING STANDARDS

##### 4. Nomination of Biodiversity Champions

There had been circulated a report dated 19 April, 2017 by the Director of Infrastructure Services, requesting Members' consideration of (a) supporting the continuation and expansion of the Biodiversity Champions Initiative in Aberdeenshire, and (b) the nomination of Elected Member champions for each project and species; invasive, non-native species; ponds; pollinators; Scottish Wildcat; pine marten; red squirrel; peatlands; swift; fresh water pearl mussels; farmland birds; hedgehog; bottle-nosed dolphin; and community tree planting. The report contained details of the problems, threats, and opportunities for each of the proposed areas of work.

The Committee **agreed** that a member from each of the Administration and Partnership groups be nominated as Champion for each species, or project.

##### 5. Aberdeenshire Design Award Scheme

With reference to the Minute of Meeting of 16 March, 2017, (Item 5,) there had been circulated a report dated 7 July, 2017 by the Director of Infrastructure Services requesting Members' consideration of the proposals for the next Aberdeenshire Design Awards Scheme in terms of (a) categories of award; (b) retention of the public votes only for student entries; (c) membership of the judging panel; (d) venue for the awards ceremony; (e) retention of a guest speaker; and (f) the appointment of an events management company.

The Committee **agreed** to approve the design award scheme as detailed in the report.

##### 6. Places, People and Planning – Position Statement

With reference to the Minute of Meeting of 16 March, 2017, (Item 9), there had been circulated a report dated 20 July, 2017 by the Director of Infrastructure Services, requesting Members' consideration of a proposed response to the Scottish Government "Place, People, and Planning – Position Statement", issued in response to consultation on 20 proposals to improve the Scottish Planning System. The proposed response focused on the four specific questions asked in the consultation:

- (a) do you have any views on the proposals contained within the Position Statement?;
- (b) what are your views on the accuracy and scope of the information used to describe the SEA Environmental Report?
- (c) what are your views on the predicted environmental effects set out in the Environmental report? and
- (d) what are your views on the findings of the SEA and the proposals for mitigation and monitoring of the environmental effects set out in the Environmental Report?

Members noted that, in order to meet the timetable for response, an initial officer response to the Position Statement had already been submitted.

After discussion, the Committee **agreed** that an additional submission be made to the Scottish Government, and thereafter circulated to all Members for information:

- (1) reiterating previously expressed concerns to which no response had been given by the Government in its holding statement;
- (2) expressing concern that time pressures in creating the proposed legislation will lead to errors;
- (3) stressing that the current operation of the Strategic Development Planning Authority, as a shared initiative of all north east councils, worked well, and that one size did not fit all;
- (4) highlighting the lack of evidence that the proposals would improve process and performance, and assist deliver of the necessary infrastructure and further housing;
- (5) reiterating that barriers to development in North East Scotland generally related to the cost of land and housing market demands, not planning and its processes;
- (6) noting concern that the proposals centralise political control from local areas;
- (7) encouraging the removal of Section 75A, as developers should not have the right to renege on agreements;
- (8) reinforcing the resourcing implications for all Council; and
- (9) highlighting that the proposals do not assist in the aim to “improve trust” in the planning process.

**7. Scottish Government Planning And Environmental Appeals Planning Appeal Decision – Application For High Hedge Notice At 26 Gordon Crescent, Portsoy**

With reference to the Minute of Meeting of the Banff & Buchan Area Committee of 20 June, 2017 (Item 9A), there had been circulated a report dated 8 August, 2017, by the Director of Infrastructure Services, advising Members of a request from the Banff & Buchan Area Committee that the outcome of appeal APP/2016/3236 to the Scottish Government Planning and Environmental Appeals Division (DPEA), be scrutinised in the context of potential implications for similar types of applications lodged in the future.

The Reporter’s decision summary, whilst agreeing with the methodology applied in assessing the application, had disagreed with the conclusion on the level of impact on the appellant’s amenity, serving the hedge owner with notice to reduce, and thereafter maintain the reduced hedge height. In reacting to this, the Planning Service had established a cross-service working group to review the current High Hedges application process.

The Committee **agreed:**

- (1) to note the circumstances leading to the High Hedge application process review; and
- (2) that the outcome of the Officers’ Working Group be advised to Members via a briefing note.

**8. Appointment Of Infrastructure Services Sub-Committees And Working Groups And Inter-Authority Working Groups – Gordon Fishings Management Committee**

With reference to the Minute of Meeting of Council of 18 May, 2017, (Item 9), there had been circulated a report dated 3 August, 2017 by the Director of Business Services, requesting consideration of the appointment of Members to the Gordon Fishings Management Committee. Having noted that the constitution of the Management Committee related to the Ward Members for the areas in which the Fishings were located, it was **agreed:**

- (1) to approve the making of appointments to the Gordon Fishings Management Committee; and
- (2) to delegate to the Garioch and Marr Area Committees the appointment of Councillors for the respective wards to the Fishings Management Committee, including any vacancies which may fall during the current administration term.

## 9. Financial Monitoring For The Year Ended 30 June 2017

There had been circulated a report dated 9 August, 2017 by the Director of Infrastructure Services, detailing the revenue and capital budgets to 30 June, 2017 and requesting consideration of proposed revenue budget virements, and adjustments, some of which would require to be approved by Full Council, as detailed in Appendix 3 to the report. There was discussion of the timescales taken to report financial updates to the Committee and it was **agreed**:

- (1) to note the revenue and capital budget monitoring as at 30 June, 2017;
- (2) to approve the proposed revenue budget virement, and note revenue budget adjustments, some of which will be reported to Full Council for approval; and
- (3) to note that the proposed new ledger system, currently being procured, was expected to produce “live time” reports more timeously.

## 10. Infrastructure Services Quarter 4 And Year End Performance Report 2016-2017 (Aberdeenshire Performs)

There had been circulated a report dated 26 July, 2017 by the Director of Infrastructure Services, providing an overview of performance management within Infrastructure Services and, in particular, focusing on the performance of services during Quarter 4 (January – March 2017). After discussion, it was **agreed**:

- (1) to acknowledge the good performance achieved January – March 2017 (Quarter 4) and year end;
- (2) to commend officers for the street lighting energy savings achieved;
- (3) that officers consider adding “re-use” to the performance reporting of “recycling”, in order to have a better target for the reporting of construction materials salvaged;
- (4) that waste success be measured by counting decline in waste arising;
- (5) to note the scheduled discussions with policy committees on performance indicators and reporting; and
- (6) that the Director to continue to report quarterly, by exception, to Committee on performance measures against service objectives and six monthly on progress in delivering all aspects of the service plan.

## TRANSPORTATION

### 11. Road Reclassification

There had been circulated a report dated 3 May, 2017 by the Director of Infrastructure Services, (a) requesting the consideration of road reclassifications at various locations across Aberdeenshire, attendant on the construction of the Aberdeen Western Peripheral Road (AWPR) and the Balmedie to Tipperty trunk road scheme, which impacted significantly on the surrounding local road network and provided an opportunity to review other A and B class routes, and (b) reporting the comments of the Area Committees on the specific proposals.

The Committee **agreed** to approve the proposed road renumbering and reclassification proposals, as detailed in the report, for submission to Transport Scotland for approval.

### 12. Road Policies – Road Markings, Variable Message and Vehicle Activated Signs and Review Programme

There had been circulated a report dated 26 July, 2017, by the Director of Infrastructure Services requesting Members’ consideration of (a) a draft Road Marking policy statement; (b) a draft Variable and Vehicle Activated Signs policy; and (c) an outline programme for the

review and updating of existing policies, and developing new policies relating to roads and transportation functions.

There was discussion on the potential for variable message signs to be provided in response to public demand, versus the dilution of impact that permanent signs might have as opposed to the effectiveness of sparing use, and also of the potential for communities to pay, through available funding, to have signs in their areas.

Cllr Ford **moved**, seconded by Cllr Cassie, that the Committee approve the proposals for the Road Marking policy statement, the Variable and Vehicle Activated Signs policy statement, and the programme for reviewing and updating existing, and developing new, roads and transportation policies, subject to the amendment of the site assessment proposals threshold value for vehicle activated signs and SIDs, in section 7.3 of the Road Marking Draft Policy, to be speed limit +10%.

Cllr Argyle **moved as an amendment**, seconded by Cllr Carr, that the Committee approve the proposals for the Road Marking policy statement, the Variable and Vehicle Activated Signs policy statement, and the programme for reviewing and updating existing, and developing new, roads and transportation policies, with the threshold value for site assessment remaining at speed limit + 10% + 2 miles per hour.

On a division, there voted:

For the Motion:	(3)	Cllrs Cassie, Ford, and Withey.
For the Amendment	(11)	Cllrs Argyle, Aitchison, Agnew, Carr, Cox, Ingram, Latham, Lonchay, Mollison, Robertson, Whyte, and Withey.

The Amendment was therefore carried and the Committee **agreed** to approve the proposals for the Road Marking policy statement, the Variable and Vehicle Activated Signs policy statement, and the programme for reviewing and updating existing, and developing new, roads and transportation policies, as detailed in the report.

### 13. Road Safety In Aberdeenshire To 2020

There had been circulated a report dated 27 July, 2017 by the Director of Infrastructure Services, providing an update on current road safety issues in Aberdeenshire, including strategies to 2020, in terms of the recently updated North East Scotland Road Casualty Reduction Strategy, the draft Road Safety Plan, and the A947 Route Improvement Strategy. There was discussion of the critical importance of drivers' education, and ongoing work with partner organisations. The Committee **agreed**:

- (1) to note the updated North East Scotland Road Casualty Reduction Strategy,
  - welcoming the reducing numbers;
  - commending the proposals in Appendix 7 as a good basis for going forward;
  - encouraging the reinvigoration of Operation Zenith with motorcyclists;
  - stressing the need to pursue increased police visibility and enforcement presence;
  - instructing the removal of the words "main" and "all" from the settlement definition, as detailed in Appendix 7, Box 2;
  - confirming commitment to young driver initiatives, including Safe Drive Stay Alive;
  - that consultation on 20mph zones be a priority area for public debate; and
  - commend the schools posts in support of young driver and pre driving education;and
- (2) to approve the Road Safety Plan for Aberdeenshire; and
- (3) to note the current position on the A947 Route Improvement and welcome the assurances given on the progress of that work.

#### 14. Bus Quality Partnership

There had been circulated a report dated 17 July, 2017, by the Director of Infrastructure Services, requesting Members' consideration of a proposed inter-authority partnership to refresh the current Transport Quality Partnership. Having noted that any partnership would be pursued in terms of the Council's own Partnership policy and guidance on Alternative Delivery Methods, the Committee **agreed**:

- (1) To approve, in principle, the proposed two tier approach for a region-wide voluntary bus partnership agreement and subsequent corridor specific agreements such as statutory or enhanced partnership agreements; and
- (2) To approve, in principle, the Council's involvement in the establishment of a Quality Partnership Board and development of the Terms of Reference of a future Quality Partnership Board.

### ECONOMIC DEVELOPMENT AND PROTECTIVE SERVICES

#### 15. City Region Deal – Aberdeen Harbour

With reference to the Minute of Meeting of Aberdeenshire Council of 17 August, 2016, (Item 3,) there had been circulated a report dated 26 July, 2017, by the Director of Infrastructure Services, requesting Members' consideration of the business case for Aberdeen Harbour, to be progressed as part of the Aberdeen City Region Deal, to be partially funded by Aberdeen and Aberdeen City Councils in the sum of £5.5M each, with additional funding from the Scottish Government but the majority of the funding private sector.

There was discussion of the agreed direction of City Region Deal funding application and Cllr Argyle **moved**, seconded by Cllr Cox, that the Committee approve (1) the Aberdeen Harbour Business Case, as detailed in Appendix 1 to the report and (2) Aberdeenshire Council's contribution of up to £5.5M to deliver the City Region Deal Aberdeen Harbour Projects.

Cllr Ford **moved as an amendment**, seconded by Cllr Ingram, that the Council, while not disapproving of the Aberdeen Harbour Business Plan, not contribute the sum of up to £5.5M towards the Aberdeen Harbour Project.

On a division, there voted:

- For the Motion: (12) Cllrs Argyle, Aitchison, Agnew, Carr, Cassie, Cox, Latham, Lonchay, Mollison, Robertson, Whyte, and Withey.  
For the Amendment: (2) Cllrs Ford and Ingram.

The Motion was therefore carried and the Committee **agreed** to approve the business case and the funding towards the Aberdeen Harbour Project.

#### 16. Proposal for a North of Scotland Trading Standards Joint Working Partnership

There had been circulated a report dated 27 July, 2017, by the Director of Infrastructure Services, requesting Members' consideration of a proposed joint working partnership of Trading Standard authorities, as encouraged by Audit Scotland. The Committee **agreed**:

- (1) To note the ongoing discussions around a potential formal Joint Working Partnership for the North of Scotland Trading Standards' Services;
- (2) To endorse in principle progression towards a formal Joint Working Partnership for the delivery of Trading Standards Services with other participating authorities; and
- (3) That officers scope out a suitable governance framework for the Joint Working Partnership, to include the option of establishing a Joint Committee.

## 17. Elected Member Attendance at Events and Conferences

There had been circulated a report dated 25 July, 2017 by the Director of Infrastructure Services, detailing various events and conferences at which Elected Member attendance would be expected, (1) explaining the programme of events for the next years; (2) detailing expectations of Councillor attendance and participation in terms of representing the authority, (a) to promote Aberdeenshire as a key location to undertake and grow business; (b) to promote the strengths of the local and regional economy and its role in supporting the national economy; (c) to forge links and co-operation with partners that supports economic development; (d) to promote Aberdeenshire Council's role in assisting business and industry; (e) to promote understanding between business and Aberdeenshire Council; (f) to enable informal dialogue between members of the business community and representatives of the Council; and (g) to represent business needs to Aberdeenshire Council services; and (3) requesting Members' consideration of the proposals.

After discussion, the Committee **agreed**:

- (1) to note the key Economic Development related events, conferences, and exhibitions planned in the next few years, as detailed in Appendix 1 to the report;
- (2) to approve the attendance of the Elected Members identified for each of the listed events, conferences, and exhibitions;
- (3) to agree the role of Councillor attendance and participation in the events and conferences; and
- (4) to delegate to the Director of Infrastructure Services, following consultation with the Chair, Vice-Chair, and Opposition Spokesperson, authority to amend the agreed attendance if required.

## ROADS, LANDSCAPE SERVICES AND WASTE MANAGEMENT

### 18. Waste Strategy – Household Recycling Charter For Scotland

There had been circulated a report dated 14 August, 2017 by the Director of Infrastructure Services, detailing the parameters of the Household Recycling Charter for Scotland and its potential implications for Aberdeenshire Council's Waste Strategy.

Having noted that, to date, 25 Local authorities had already voluntarily signed the Charter, the Committee **agreed**:

- (1) That Aberdeenshire sign the Household Recycling Charter; and
- (2) That officers review the current Waste and Recycling Services against the Charter's Code of Practice essential requirements.

### 19. Code Of Practice On Litter & Refuse (Scotland) 2017 Consultation Response

There had been circulated, for Members' consideration, a report dated 14 August, 2017, by the Director of Infrastructure Services, proposing a response to the current consultation on a national Code of Practice on Litter and Refuse. The Code of Practice on Litter and Refuse (COPLAR) provides practical guidance on fulfilling the duties under the Environmental Protection Act 1990, Section 89 (1) to keep land clear of litter and refuse, and (2) to keep certain roads clean, outlining the standard required for each duty; supporting the Code's prioritisation of where, and when, to tackle problems; and providing maximum timescales for restoring areas to the required standard.

The Committee **agreed**, having considered the impact and implications of the requirements of the statutory guidance, to approve the consultation response as appended to the report, for submission to Zero Waste Scotland by 25 August, 2017.

## **20. Project Management Resource For Flood Studies**

With reference to the Minutes of Meeting of 12 May, 2016 (Item 11) and 16 March, 2017 (Item 26), there had been circulated a report dated 14 August, 2017, by the Director of Infrastructure Services, requesting Members consideration of proposals to resource project management for various flood studies, arising from the Flood Risk Management Plan.

The Committee **agreed**:

- (1) to approve the addition of the Project Management Resource for Flood Studies and Surface Water Management Plans to the Infrastructure Services Key Activity, Project and Procurement Plan with an estimated cost of £131,000;
- (2) to approve the Business Case, detailed in Appendix 1 to the report, to engage AS Civils Ltd currently employed through an agency to provide a dedicated project management resource for a period of 24 months, at a total estimated cost of £131,000; and
- (3) to note that the Chief Officer will have authority to award the contract following approval of the Business Case subject to submission of an Award Report.

## **21. Framework Approval – Scotland Excel: Treatment Of Organic Waste 08-16**

With reference to the Minute of Meeting of 16 March, 2017, (Item 26), there had been circulated a report dated 17 August, 2017, by the Director of Infrastructure Services, providing details of an expected imminent revision of the Scotland Excel Framework Approvals for the treatment of organic waste, specifically food waste and garden waste.

The Committee **agreed**:

- (1) to approve the amendment of the Infrastructure Services Key Activity, Project and Procurement Plan to reflect the revised estimate costs associated the renewed Scotland Excel (SXL) Framework for Organic Waste as follows:
  - a. Lot 1 - Food Waste – 2,074,000; and
  - b. Lot 2 - Garden Waste – 1,426,000;
- (2) to approve the use of the Scotland Excel Framework for Treatment of Organic Waste (food waste and garden waste);
- (3) to approve the Business Cases for the Treatment of Garden Waste and the Treatment of Food Waste as appended for the proposed award of three year contracts, with optional twelve months extension; and
- (4) to note that the Chief Officer will have authority to award the contracts following approval of the Business Cases.

## **ITEMS FOR NOTING**

The Committee **noted**:

- (A)** The Minute of Meeting of the Aberdeen City Region Deal Joint Committee of 16 June, 2017 (as detailed in Appendix A hereto); and
- (B)** The Minute of Meeting of the SDPA , 2017, (as detailed in Appendix B hereto).



# ABERDEEN CITY REGION DEAL:

Powering Tomorrow's World

## ABERDEEN CITY REGION DEAL JOINT COMMITTEE

16 JUNE, 2017

- Present:** Councillors P J Argyle, J Gifford, and R Thomson (Aberdeenshire Council);
- Councillors M Boulton, G Graham (as substitute for Cllr J Laing) and D Lumsden (Aberdeen City Council); and
- Professor S Logan, Mr P Machray and Sir Ian Wood; (ONE).
- Apologies:** Cllr J Laing, Aberdeen City Council.
- In attendance:** J Crow and Professor von Prondzynski, ONE; A Scott, Chief Executive, Aberdeen City Council; S Archer, Director of Infrastructure Services, Aberdeenshire Council, B Miller, Head of Economic Development and Protected Services, Aberdeenshire Council; A Wood, Head of Finance, Aberdeenshire Council; R O'Hare, Principal Solicitor (Democratic Services), Aberdeenshire Council; J P Cleary, Senior Programme Manager, Programme Management Office, Aberdeen City Council; Wendy Robertson, Digital Programme Manager, Aberdeen City Council and J McRobbie, Committee Officer, Aberdeenshire Council.

### 1. APPOINTMENT OF CHAIR AND VICE CHAIR

Mr Archer, Director of Infrastructure Services, Aberdeenshire Council took the Chair, welcoming everyone to the first meeting, post-election, of the City Region Deal Joint Committee. The first item of business was the appointment of a Chair for the joint committee and, having heard from the Director of Infrastructure Services that the Chair and Vice Chair rotated between the two Councils, Councillor Lumsden moved, seconded by Sir Ian Wood, that Councillor Gifford, of Aberdeenshire Council, Chair the Joint Committee for the City Region Deal. There being no further nominees, the Committee **agreed** that Councillor Gifford be appointed Chair.

Cllr Gifford took the Chair and called for nominations for the appointment of Vice Chair for the City Region Deal Joint Committee.

Councillor Argyle moved, seconded by Councillor Bolton, that Councillor Laing, of Aberdeen City Council, be nominated as Vice Chair. Having been advised that Councillor Laing had indicated her willingness to accept the nomination, if made, and there being no further nominations, the Committee **agreed** that Councillor Laing be appointed Vice Chair of the City Region Deal Joint Committee.

### 2. APPOINTMENT OF ONE MEMBERS AND SUBSTITUTES

In terms of the requirement for the nominations from ONE to be confirmed, the Committee **noted** that the ONE representatives on the Joint City Region Board would remain as previously as undernoted: Sir Ian Wood, Mr Pat Machray, and Professor Stephen Logan as

substantive members, with Mrs Jennifer Crow, Mr Colin Crosby, and Professor Ferdinand von Prondzynski as substitute members.

### 3. SEDERUNT AND DECLARATION OF MEMBERS' INTERESTS

Apologies intimated in respect of Councillor Laing, Aberdeen City Council.

In terms of declaration of interest, in respect of item 12, Bio Therapeutics Hub for Innovation Business Case, Sir Ian Wood and Pat Machray declared an interest as ONE representatives however considered their interest to be remote and insignificant therefore they would take part in the item. Professor Stephen Logan declared an interest as a ONE representative and Chairman of the ONE Life Sciences Board and confirmed he would not take part in the item however would remain to answer questions on the report if required in his capacity as Chairman of the ONE Life Sciences Board.

### 4. 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 content and take this into account when reaching a decision.

#### (B) Exempt Information

The Committee **agreed**, in terms of Sections 50A (4) and (5) of The Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of items 11 and 12, so as to avoid disclosure of exempt information of the class described in 6 of Part 1 of Schedule 7A of the Act.

### 5. MINUTE OF MEETING OF CITY REGION DEAL JOINT COMMITTEE OF 17 MARCH, 2017

The Joint Committee had before them and **approved** as a correct record, the Minute of Meeting of the Joint Committee of 17 March, 2017.

### 6. CITY REGION DEAL PROGRESS UPDATE

There had been circulated a report by the Senior Programme Manager, providing an update on the City Region Deal (CRD) and its constituent works. Having heard further from the Senior Programme Manager on the milestones of progress against the plan, and the timing of the future work plan schedule, the Joint Committee **agreed** to note the updates provided.

### 7. DIGITAL INFRASTRUCTURE UPDATE

There had been circulated a report by Simon Haston, Head of IT and Transformation, Aberdeen City Council, providing an update on the digital infrastructure projects within the innovation theme of the Aberdeen City Region Deal. The Joint Committee heard from Wendy Robertson, Digital Programme Manager, Aberdeen City Council, of the two work strands: (a) White area in-fill and (b) the duct network proposals, as approved by the Joint Committee in the business cases presented on 20 January 2017. It was reported that the duct network strand had already begun, to extend and enhance existing Council owned duct network to facilitate the efficient delivery of services and ensure economic and social gains, with implementation due to begin in August 2018. The initial timescales for the white area in-fill (to address known gaps in the market by procuring ultrafast connectivity to service businesses and residential premises in the Aberdeen Housing Market Area), were dependant on agreement with the Scottish Government's development of a new national broadband initiative, R100. This national conductivity project sought to provide a minimum of 30Mbps connectivity to every premise in Scotland and the project had had, and would continue to have, an impact on the delivery schedule of the white area in-fill project.

There was discussion of whether elements of the white area infill work could be undertaken, independently, and in preparation for, R100 and clarification was sought as to whether the funds allocated by the Scottish Government for the white area in-fill were to be subsumed within the R100 project.

Officers advised that the Scottish Government were currently progressing an approach for project procurement. When this was known, it would be determined whether City Region Deal funds could be adapted to R100 programme. Concerns were expressed at the additional timescale delays implications of aligning with R100. The Committee **agreed:-**

- (1) That officers look at other possibilities to address the white area in-fill, in addition to continuing to work alongside the Scottish Government on R100;
- (2) That, if need be, officers consider an urgent method of submitting an update report on digital connectivity progress to members of the Joint Committee in between formal meetings of the committee; and
- (3) In all other respects, to note the terms of the update.

## **8. TRANSPORTATION UPDATE**

There had been circulated a report dated 6 June, 2017, by the Strategic Transport Projects Manager, Aberdeenshire Council, providing the Joint Committee an update on the strategic transport appraisal elements of the City Region Deal. The report provided an update on the (a) investment unlocked across all modes of transport, including rail, of £7M funding, with £5M coming from UK and Scottish governments and £2M from Aberdeen City and Aberdeenshire Councils; (b) the workings of the Transport Working Group, meeting approximately 6 weekly co-led by the CRD Transportation Work Team Lead and Transport Scotland, potentially aligning the strategic appraisal's emerging outcomes with the parallel work on the national transport strategy, through strategic transport projects review, and Nestran's Regional Transport Strategy, as well as future strategic land use plans; (c) the work programme's first deliverable, to undertaken in accordance with Scottish Transport Appraisal Guidance (STAG), being an interim update of the regional transport model, and the Aberdeen Sub Area Model (ASAM), due for completion in June 2017 to provide a current year and future year forecast of pressures on the Regional Transport Network, taking into account committed infrastructure and other developments with a further update to be progressed following an extensive traffic and transport data collection exercise on the completion of the Aberdeen Western Peripheral Route (AWPR); and (d) the Strategic Transport Appraisal, with the brief for the commissioning of the pre-appraisal element having been developed by the CRD Transport Working Group, with the work to commence during 2017 and be complete towards the end of 2017.

Having heard from officers of the revised financial baseline as detailed in appendix 2 to the report, and key risks, it was noted that a detailed business case for the Strategic Transport Appraisal would be submitted to a future meeting of the Joint Committee for consideration.

The Joint Committee **noted** the update provided.

## 9. SCOTTISH GOVERNMENT MEMORANDUM OF UNDERSTANDING – ORAL UPDATE

At this point in the meeting the Chair, on behalf of the Joint Committee, welcomed Mr Martin McCloskey, of the Scottish Government, to the meeting by conference call.

Mr McCloskey spoke of the £200M allocated toward improving rail networking between Aberdeen and the Central Belt and the Minister's announcement on 17 March, 2017 of the establishment of a dedicated team to address capacity to Aberdeen and Aberdeenshire; this would include consideration of options such as double tracking functions and the Montrose viaduct. £24M had been allocated for A9/A937 improvements, with Transport Scotland having appointed design consultants in September 2016. The emerging options in the Stage 2 process would be exposed to public exhibition later in 2017 and a preferred option identified by 2018. This would allow draft orders to be lodged for formal consultation in 2019 and thereafter be advertised for further public comment. These works were being progressed in terms of the partnership between Aberdeen, Aberdeenshire, and Angus Councils in order to maximise the benefits of the initiative.

There was discussion as to whether the process of consultation could be accelerated, given that the options had been well known in the public forum for a significant period of time but Mr McCloskey indicated that the normal processes and procedure were bound by statute and accordingly could not be amended. Members asked questions as to whether a standard design of stepped junction could be applied in order to facilitate the programme's advance.

Mr McCloskey advised of infrastructure projects planned to develop housing at Balmedie and Mintlaw, and ongoing bilateral meetings held between the City and Shire with Government officials. In the years 2006/ 2021, the Scottish Government had indicated an additional allocation of £190M to support Council-produced strategic housing investment plans for development.

There was discussion as to whether any spend unutilised at the end of any financial year could be rolled onto future years and Mr McCloskey indicated that was an issue to be raised with the Council finance officers.

The Joint Committee heard from the Director of Infrastructure, Aberdeenshire Council, of joint meetings held between City and Shire and More Homes Scotland where the issue of year end had been raised.

The Joint Committee **agreed** to note the updates provided.

## 10. SCHEDULE OF FUTURE MEETINGS

The Joint Committee heard from the Senior Programme Manager that whilst dates of 28 July, 8 September, and 10 November, 2017 had previously been agreed for meetings of the Joint Committee, it was proposed that the schedule be amended to be a quarterly meeting, timed in line with the phased reports back to government and financial reporting periods. In addition, as there was no urgent business to be considered in July, it was proposed that the date of 28 July be set aside and the next meeting be 8 September 2017. The Joint Committee **agreed**:-

- (1) That the next meetings be held on 8 September, and 10 November, 2017;
- (2) That officers consider a proposed schedule for 2018 meetings, circulating them for diary availability in early course; and
- (3) To support the move to quarterly meetings, subject to the use of information bulletins to provide updates on urgent matters.

#### **11. CITY REGION DEAL FINANCIAL UPDATE 2016/17**

There had been circulated a report dated 16 June, 2017 by the Head of Finance, Aberdeenshire Council, and the Senior Programme Manager, Aberdeen City Council, providing an update on the finances of the Aberdeen City Region Deal for the year 2016/17.

Having heard further from officers as to potential spend profiles, the Joint Committee **agreed** to note the update provided.

#### **12. BIO-THERAPEUTICS HUB FOR INNOVATION BUSINESS CASE**

With reference to the Minute of Meeting of 17 March, 2017, (Item 3,) there had been circulated a report dated 16 June, 2017 by Jennifer Crow, ONE, seeking the Joint Committee's approval of the business case for the bio-therapeutics hub for innovation project, within the innovation theme of the Aberdeen City Region Deal and providing details of the proposal. Having heard further Ms Crow and her colleague, Lindsay McKenzie as to the proposals, the Joint Committee **agreed** that the Head of Economic Development intimate to the UK and the Scottish Governments the Joint Committee's endorsement of the business case as detailed in the report.

Councillor Jim Gifford, Chair

APPENDIX B

STRATEGIC DEVELOPMENT PLANNING AUTHORITY

WOODHILL HOUSE, ABERDEEN

FRIDAY 30 JUNE, 2017

**Present:** Councillors D A Aitchison, M Boulton, J Cooke, J B Cox, A Forsyth (as substitute for Cllr B A Topping), R Grant, PJ Johnston, D Lonchay (as substitute for Cllr A Wallace), S Macdonald (as substitute for Cllr G Graham), and I Mollison (as substitute for Cllr J Latham).

**Apologies:** Councillors G Graham, J Latham, B A Topping, and A Wallace.

**Officers:** - **Strategic Development Planning Authority:** Strategic Development Plan Manager and Senior Planner.  
**Aberdeen City Council:** Planning and Environmental Policy Manager, Legal Advisors (L Cameron and F Closs), and Planner (S Omondi).  
**Aberdeenshire Council:** Head of Planning and Building Standards, Planning Service Manager (B Stewart), Accountant (B Allan), Senior Information and Research Officer (S Shaw), and Committee Officer (J McRobbie).  
**Audit Scotland** – Senior Audit Manager (A MacDonald.)

**1. APPOINTMENT OF CHAIR AND VICE-CHAIR**

The Strategic Development Plan Manager welcomed all to the first meeting of the Strategic Development Planning Authority following the local government elections of May 2017.

There had been circulated a report by the Strategic Development Plan Manager, advising Members of the process for the election of the Chair and Vice-Chair of the Authority.

Cllr Grant **moved**, seconded by Cllr Macdonald, that Cllr Marie Boulton be elected Chair.

There being no further nominations,

The Authority unanimously resolved that Cllr Boulton Chair the Authority.

Cllr Boulton thereafter called for nominations for the position of Vice Chair of the Authority.

Cllr Mollison **moved**, seconded by Cllr Lonchay, that Cllr Cox be elected Vice Chair.

There being no further nominations,

The Authority unanimously resolved that Cllr Cox be Vice Chair of the Authority.

**2. SEDERUNT AND DECLARATION OF MEMBERS' INTEREST**

Apologies were submitted from Cllrs Graham, Latham, Topping, and Wallace.

Cllr Macdonald declared an interest in item 4, (Housing Land Audit,) as Chair of Langstane Housing Association, but as the interest was not considered significant, indicated that she would remain and take part in the discussion.

### **3. MINUTE OF THE STRATEGIC DEVELOPMENT PLANNING AUTHORITY MEETING OF 22 MARCH, 2017**

The Authority had before them and **resolved** to approve as a correct record the Minute of Meeting of 22 March, 2017.

### **4. HOUSING LAND AUDIT 2017**

There had been circulated a joint report by the Interim Head of Planning and Sustainable Development (Aberdeen City Council) and the Head of Planning and Building Standards, (Aberdeenshire Council), detailing the results of the Housing Land Audit (2017), as appended to the report, and its implications for the housing land supply.

The report indicated that the Audit, measuring the quantity of land available for new housing in Aberdeen City and Aberdeenshire, demonstrated, to the Scottish Government standard (Scottish Planning Policy (SPP) and Planning Advice Note (PAN) 2/2010), that more than the minimum of five years effective land supply of housing land was available in both housing market areas.

The Authority heard further from the Senior Information and Research Officer of the details of the Audit and there were questions on (a) the Scottish Government's definitions of constrained sites, particularly where the constraint was defined as 'marketability'; and (b) the relationship between market constrained smaller rural sites (up to 10 houses) and the fall in the number of smaller housebuilder firms.

The Authority resolved: - to note the contents of the report.

### **5. SUPPLEMENTARY PLANNING CONSULTATION – RESPONSE TO ABERDEEN CITY COUNCIL (FOOTBALL STADIUM, TRAINING PITCHES AND FOOTBALL ACADEMY)**

The Authority were advised that this report had been withdrawn on the advice of the SDPA's legal advisor and that the matter would be resolved as quickly as possible.

The Authority resolved:-

that officers respond to the application (in consultation with the chair and Vice Chair) if the legal uncertainty can be overcome.

### **6. STRATEGIC DEVELOPMENT PLANNING AUTHORITY BUDGET POSITION AS AT 31 MARCH 2017 – REPORT BY TREASURER**

The Authority had before them a report dated 20 June, 2017, by the Treasurer to the Strategic Development Planning Authority (SDPA) which presented the budget monitoring position for 2016/17 as 31 March, 2017.

The report advised that, as at 31 March, 2017, both Councils had contributed equal amounts of £95,000 to the budget, £11,000 more than the budget approved on 23 March 2016. This was the result of a late adjustment to the 2015/16 accounts which resulted in expenditure, previously included, being excluded. The surplus created had subsequently been used as income within the 2016/17 accounts. The surplus of £40,000 would be transferred to Reserves and would either be used to offset any potential costs arising from the legal challenge to the

SDPA's Supplementary Guidance (Strategic Transport Fund) currently before the Supreme Court, or to reduce the contributions for partner Councils going forward.

The Authority resolved:-

- a) To note the budget monitoring position as at 31 March, 2017; and
- b) To approve the transfer of £40,000 to Reserves.

## **7. 2017/17 ANNUAL AUDIT PLAN**

There had been circulated a report by the Strategic Development Plan Manager informing the Authority of the 2016/17 Annual Audit Plan, dated March 2017, provided by Audit Scotland, which set out the audit work to be undertaken to provide an opinion on the Authority's financial statements and stewardship of financial matters.

The Authority heard further from Anne MacDonald, Senior Audit Manager, Audit Scotland, that the three areas on which external audit would focus were (a) risk management override of controls; (b) changes in accounting requirements; and (c) Aberdeenshire Council's new payroll system.

Questions were asked on how the new payroll system was performing and Mr Allan reported that whilst he was not aware of any operational issues from the Human Resources side, it appeared that information was slower in coming to the Finance Service. Ms MacDonald confirmed that Audit Scotland were not aware of any issues regarding the payment of salaries, and that some initial teething issues on tax coding appeared to have been resolved.

The Authority resolved:-

To note the external audit plan as reported.

## **8. UNAUDITED STATEMENT OF ACCOUNTS 2016/2017 – REPORT BY TREASURER**

The Authority had before them a report dated 20 June, 2017 by the Treasurer to the Strategic Development Planning Authority, presenting the Unaudited Annual Accounts for 2016/17.

The Authority heard from Mr Allan, Accountant, that the audited statement of accounts would be returned for final approval in September, 2017.

The Authority resolved:-

To note the unaudited accounts for 2016/17 as set out in the report.

## **9. PLANNING PERFORMANCE REPORT 2016/17**

There had been circulated a report by the Strategic Development Plan Manager, requesting Members' consideration of a Planning Performance Report for 2016/17, its publication on the Authority's website, and its submission to the Scottish Government by 31 July, 2017.

Having heard further from the Strategic Development Plan Manager that the performance report was combined with the Authority's Annual Report, and would set out what the Authority was, and what it was designed to achieve, and had achieved over the past year, it was noted

that that Section 3 of the report would be updated, to take account of carbon emissions data at local authority level published earlier in the week.

There was discussion of the presentation of statistical information and Members were advised that the format of the Planning Performance Report was prescribed by Scottish Government, and

**The Authority resolved:-**

- (1) That the narrative on rights of attendance at SDPA meetings (compared to NESTRANS) be clarified;
- (2) That the pictures in section 6 be captioned;
- (3) That section 3 be updated with new information about carbon emissions; and
- (4) In all other respects to approve the Planning Performance Plan, as amended, for submission to the Scottish Government and publication on the Authority's website.

### **10. SDPA BULLETIN – JUNE 2017**

The Authority had before them an information bulletin prepared by the Strategic Development Plan Manager which informed Members on key issues relating to the work of the Authority where no decisions were currently required. Oral updates were provided on each item since publication.

Details contained within the bulletin included:-

(1) **Strategic Transport Fund Update**

In respect of the legal challenge in the Supreme Court to the Strategic Transport Fund, the case was heard at The Supreme Court sitting in Edinburgh on 13 June and the decision is awaited. This was the final stage in the legal process and the court's decision may be issued in time to be reported to the Authority at its next meeting.

(2) **Local Development Plans**

It was reported that both Aberdeen City and Aberdeenshire's Local Development Plans had been adopted, the first two second generation local development plans nationally, contrasting with some areas where the first generation plan had not been completed.

The Aberdeen City Local Development Plan, adopted on 20 January, 2017 had initially been subject to legal challenge, on the allocation of sites in the Milltimber / Peterculter area; that challenge has been withdrawn. All planned Supplementary Guidance has now been approved with the latest, relating to Planning Obligations, being approved on 21 June, 2017.

Aberdeenshire's Local Development Plan had been adopted on 17 April, 2017, and the period for legal challenge had expired without challenge. There had been 9 additional elements of Supplementary Guidance approved as part of the Plan.

(3) **Strategic Development Plans**

It was reported that work on the initial consideration of a Main Issues Report (MIR) for consultation, as part of the replacement strategic development plan, scheduled to be considered at this meeting, had been delayed pending the outcome of the Supreme Court challenge to the Strategic Transport Fund, the work of the planning review, and the two recent elections. The report would come to the next meeting, to be held on 20

September, 2017. Given the changed membership of the Authority, the delay would allow for a further workshop on the issues before the Main Issues Report was approved for consultation.

The report indicated that, of the other strategic development plans across the country, (a) Tayplan, more than five years old, was awaiting Ministers' approval but that as Fife had not yet adopted their local development plan, there might be further delay; (b) that there had been last minute representations to Scottish Ministers after the Clydeplan examination and the plan was still awaiting Ministers' approval; and (c) that SESplan, where the extant strategic development plan had been approved in 2013, had submitted their plan to the Ministers following its approval at a meeting on 26 June, 2017.

(4) Transport Scotland's Rail Infrastructure Strategy Consultation

Responses to the Transport Scotland consultation on Rail Infrastructure, closed on 24 February 2017, and including points made by the Authority as well as Nestrans, leading on the north east perspective, were available to view online. The Scottish Government High Level Output response was anticipated over the summer. Two of the more pertinent issues for the Authority were noted to be a proposed move to a more flexible, pipeline approach to scheme delivery (which might reduce certainty about the delivery as well as the timing of rail infrastructure, and the greater focus on service connectivity rather than reducing journey times.

(5) Household Projections

The National Records of Scotland (NRS) had published its 2016 Mid-Year estimates of population which indicated that the number of people leaving the area exceeded those arriving by about 300, bringing to an end a 14 year period of continuous net immigration. It was likely that this tied closely to activity in the oil and gas sector.

(6) Housing Market Activity

Data from the Scottish Government (Housing Statistics for Scotland) and the Registers of Scotland (Monthly Residential Property Market Statistics) indicated that during the year to end 2016, City and Shire accounted for 10% of all property sales by value and 12.8% of transactions, a sharp reduction in peak since 2013. The average price was £206,952, approximately £22,000 less than peak but still higher than the Scottish average by £40,000.

Rental values had also fallen over the last two years in the Aberdeen area, with average rents falling, across the different property sizes, by 31% since the end of 2014.

The north east property market levels were therefore more in line with national levels and appeared to have stabilised, the falling sale prices appeared to be stabilising or slowing down, and rental values had fallen more significantly than sale prices to levels seen at the last recession's market bottom.

(7) Planning Applications of Strategic Importance

Two applications of strategic importance were currently subject to Authority response – (a) 161429/PPP – for commercial retail development at Prime Four Business Park, adjacent to the Aberdeen Western Peripheral Route junction with the A944 (allocated as employment land in the 2017 Aberdeen Local Development Plan); and (b) an application by Ashfield Land for a mixed-use development with a large retail component at Blackdog, on the A90/AWPR junction to the north of Aberdeen.

The Authority were advised that the application at Prime Four had been withdrawn by the applicant, following the publication of a report recommending refusal, and that the Blackdog proposal, referred to Scottish Ministers following objection from Aberdeen City Council, had had its original 28 day period of consideration (which would have expired on 28 June, 2017), extended by Ministers for an additional 28 days.

(8) Batwind

Aberdeenshire Council had recently granted consent to an application from Statoil to install batteries, associated with their Hywind floating project turbine. This was part of a 30MW offshore windfarm and the Batwind project would give an additional 1MW battery capacity. The project was being taken forward in partnership with the Offshore Renewable Energy Catapult, the Scottish Government, and Scottish Enterprise and was very experimental. If successful, its impact on the future delivery and efficiency of renewable energy products could be significant, by evening out peaks and troughs of energy production to be released to the grid when it is more valuable. It could also reduce the need for wasted energy when generation levels outstripped demand. Turbines would be sited offshore Peterhead, with the batteries in Peterhead itself.

(9) Scottish Government Consultation – “Places, People and Planning”

The Authority had been one of 474 respondents to the Scottish Government’s consultation, “Places, People and Planning”, considering the matter at its meeting on 22 March. Both Aberdeen City and Aberdeenshire councils had responded separately, along with NESTRANS, Community Planning Aberdeen, NHS Grampian, Aberdeen & Grampian Chamber of Commerce, four Aberdeen City and 9 Aberdeenshire Community Councils (including Newmachar, not mentioned in the report), Old Aberdeen Heritage Society and the North East Mountain Trust, along with various national bodies. The next steps in the process, outlined in a letter from the Scottish Government’s Chief Planner on 17 May, 2017 indicated that the responses were to be independently analysed, with a final report expected to inform decisions by Ministers informing future legislation. It was anticipated that a Planning Bill would be drafted towards the end of 2017.

A position statement issued on 29 June indicated that there would not be responses to individual submissions, but would allow opportunities for further response to the Government. If the original proposals were to be adopted, there would be a great need for clarity on the practicalities of replacing strategic development plans with a national planning framework by 2020.

The Authority resolved:-

- (1) That the Chair and Vice Chair approve any further submission to the Scottish Government relating to the consultation on their position statement;
- (2) That future such reports to the Authority continue to note progress on important and innovative projects such as Batwind and Hywind; and
- (3) To note, in all other respects, the content of the bulletin and oral updates.

## 11. DATE OF FUTURE STRATEGIC DEVELOPMENT PLANNING AUTHORITY MEETINGS

The Authority **noted** the scheduled meeting dates for the 2017/18 diary:-

- 20 September, 2017 at 10.00am at Aberdeen City Town House;
- 20 December, 2017 at 2.00pm at Woodhill House; and
- 21 March, 2018 at 2.00pm at Aberdeen City Town House

Cllr Marie Boulton  
Chair

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