

ABERDEENSHIRE COUNCIL

INFRASTRUCTURE SERVICES COMMITTEE

WOODHILL HOUSE, ABERDEEN, 25 JANUARY, 2018

Present: Councillors P J Argyle (Chair), W A Agnew, D Aitchison, G Carr, R Cassie, (as substitute for Councillor G Blackett), M Ford (as substitute for Cllr P K Johnston), J Ingram, J Latham, D Lonchay, I Mollison, C Pike, M Roy (as substitute for Cllr J Cox), S Smith, and R Withey.

Apologies: Councillors Blackett, Cox, and Johnston.

Officers: Director of Infrastructure Services; Heads of Service Economic Development, Planning and Building Standards, Roads and Landscape Services, Transportation; Principal Solicitor (Governance); Accountancy Finance Manager; Planning Manager, Planning and Building Standards; Support Services Manager; Strategy Manager, Transportation; Environment Planner/Project Officer, Historic Asset Management Project; Parking Officer; Strategy Development Officer (Transportation); and Committee Officer (J McRobbie).

1. DECLARATION OF MEMBERS' INTERESTS

Councillors Argyle, Aitchison, and Pike declared interests, as substantive members of NESTRANS, and Councillors Carr, Ford, and Mollison as substitute members of NESTRANS, in items 9 (Fraserburgh, Peterhead and Ellon to Aberdeen Strategic Transport Study – Feedback of Area Committee Consideration) and 10 (Strategic Transport Update). The interests were considered remote and insignificant having regard to the purpose of the items and Members therefore indicated their intention to participate in the discussion.

Councillor Argyle declared an interest in terms of Item 16 (Rural Partnership Funds 2018-2020 Update) as the Council appointed Director of the Partnership. Councillor Latham declared an interest in the same item, as the Council appointee to the Marr Area Partnership. The interests were considered remote and insignificant having regard to the purpose of the item and Members therefore indicated their intention to participate in the discussion. .

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 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 item 17 so as to avoid disclosure of exempt information of the classes described in paragraph 8 of Part 1 of Schedule 7A of the Act.

PRESENTATION – NETWORK RAIL

The Chair, on behalf of the Committee, welcomed Messrs. Dave Boyce, Senior Communications Manager, and Graeme Stewart, Senior Sponsor of Route Businesses, Network Rail, to the meeting which thereafter heard presentation on the company's proposals for the Aberdeen to Inverness (A to I) Improvement works. The works were intended to allow for specified outputs for faster services, especially in commuting corridors; new stations, including Kintore; and signalling improvements to the west end of the route, with a controlled signal centre at Inverness; an extended passing loop was also to be established between Elgin and Forres. The focus for 2018 was the eastern part of the Aberdeen to Inverness route-with huge civil engineering works to re-establish double track to modern compliance standard. This would cause significant disruptions to passenger services, and after consultation, it had been agreed that this be undertaken in two blocks; summer 2018 and summer 2019, with a 14 week shut down between May and August, and bus replacement services between Aberdeen and Dyce. Preparatory works would be needed over the Easter and May Bank Holiday weekends also.

In 2019, the focus would be on reinstatement works on the Dyce to Inverurie stretch, with a similar disruption inevitable.

Conventional bus replacement of scheduled trains had not been considered appropriate, with a more cyclic pattern of bus availability at Dyce to disperse the demand. This had been guided by a detailed passenger flow analysis and a survey of 600 customers; if the 14 week closure had not been agreed, the alternative would have been 3 years' of weekend closures.

The application of this "least worst scenario" would be informed by lessons learnt from other major work disruptions, such as at Winchburgh, where effective communication had gone a long way to ensuring that passengers and the general public were kept informed of progress.

The process and timescale might be painful, but by the end of December, 2018, there would have been a radical overhaul of rail service on the Aberdeen to Inverness corridor, including half hour services between Aberdeen and Inverurie, to be thereafter extended to Montrose, with peak time four hourly services. The additional capacity would allow for the introduction of high speed trains on the corridor and output were expected to improve significantly.

In terms of managing neighbour disruption to the line sides, inevitable as part of the civil engineering process, 20,000 letters had recently been distributed, extending to those living within 500m of the track (normally extended only to 200m), and work on the management process for vegetation to start in February.

Regular engagement would take place with both Councils, in addition to the public drop in sessions, scheduled to parallel the increasing visibility of additional work compounds, (including one for 150 staff on-site at Inverurie's main compound) across the route; there was a 24hour access help line and a full time dedicated project email address which would be

monitored. Workforce recruitment had been pursued via engagement with local job centres and information in the local communities.

There was discussion of the scale of the project; mitigation measures proposed; the potential future extension of any cross Aberdeenshire trains to stop at intermediate stations; the possibility of Transport Scotland's instructing further works; the local employment level, both short-term during the construction and long-term to meet increasing need for rail staff such as drivers etc.; and the ultimate conflict – improving journey time to the central belt versus potentially opening more stations, or stopping at more stations, in the North East; the ultimate time savings, and whether these applied to better lines and speedier trains or reducing the number of intermediary stops; the triggers to allow for staffed stations (Dyce unstaffed for historical reasons, compared to a staffed Huntly with a greatly smaller footfall of passengers); the operational process for turning locomotives at the Waterloo Quay branch for freight transports; the steps to successful community engagement over a lengthy timescale for an infrastructure project; the need to inform and advise local councillors as well as their communities; the potential for slippage in the engineering works, within the constraints of a fixed window of opportunity for the works; considerations of future proofing works with consideration of routes to Ellon; and the investigation work relating the current tunnel systems on the approach to Aberdeen station.

The Committee **agreed**:

- (1) that additional information would be provided on: timetable journeys; the operational specifics of the Waterloo Quay works; and the outcomes of any investigative work on Aberdeen's railway tunnels;
- (2) to commend Network Rail on an very informative presentation and its plans for community engagement and mitigation works during the upgrades; and
- (3) that the presentation be circulated to all Members for their interest.

3. MINUTE OF MEETING OF INFRASTRUCTURE SERVICES COMMITTEE OF 30 NOVEMBER, 2017

There had been circulated and was **approved** as a correct record, the Minute of Meeting of 30 November, 2017.

4. REVIEW OF FEES AND CHARGES

With reference to the Minute of Meeting of 5 October, 2017, (Item 8), there had been circulated a report dated 20 December, 2017 by the Director of Infrastructure Services, requesting Members' consideration, of proposed changes to fees and charges for Infrastructure Services, produced after consultation in November, 2017.

After discussion, and having heard further from the Support Services Manager as to the details of the proposals, promoted in the context of the Council's approved charging policy, Cllr Argyle **moved**, seconded by Cllr Mollison, that the Committee, (a) having considered the outcomes of the consultation held in November 2017, approve the implementation of the proposed changes to fees and charges as detailed in the report, including the phasing of an increase in burial charges over two years; and (b) delegate authority to the Director of Infrastructure Services to increase Environmental Health fees in line with Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017.

Cllr Aitchison moved as an **amendment**, seconded by Cllr Smith, that the Committee, (a) having considered the outcomes of the consultation held in November 2017, approve the implementation of the proposed changes to fees and charges as detailed in the report, subject

to the extended phasing of an increase in burial charges over four years; and (b) delegate authority to the Director of Infrastructure Services to increase Environmental Health fees in line with Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017.

On a division, there voted:-

- | | |
|---------------------|---|
| For the Motion:- | (10) Councillors Argyle, Agnew, Carr, Ford, Latham, Lonchay, Mollison, Pike, Roy, and Withey. |
| For the Amendment:- | (4) Councillors Aitchison, Cassie, Ingram, and Smith. |

The Motion was therefore carried and the Committee **agreed** to approve the charges as detailed in the report.

5. NOMINATION TO OUTSIDE BODIES AND PARTNERSHIPS – NORTH SEA COMMISSION TRANSPORT THEMATIC GROUP

With reference to the Minute of Meeting of 5 October, 2017 (Item 6), there had been circulated a report dated 15 January, 2018, by the Director of Business Services, requesting Members' consideration of the appointment, on the resignation of Cllr Wallace, of a representative to the North Sea Commission Transport Thematic Group. The Committee **agreed**:-

to approve the nomination of Cllr Lesley Berry to the North Sea Commission Transport Thematic Group.

6. HISTORIC ASSET MANAGEMENT PROJECT ANNUAL UPDATE

With reference to the Minute of Meeting of 6 October, 2016, (Item 4, page 622), there had been circulated a report dated 8 December, 2017 by the Director of Infrastructure Services, reporting on the completion of works under the Council's Historic Asset Management Project and requesting Members' consideration of the scheme and its continued application.

The Committee **agreed**:-

- (1) that an annual update be made to Area Committees as well as the Infrastructure Services Committee;
- (2) that information on the Historical Asset Management Project be lodged on the Council's website, with the content approved by the Director, following consultation with the Chair, Cllrs Aitchison and Ford;
- (3) that if it is not possible to add the information to the website, that an update be reported to the next ordinary meeting of the Infrastructure Services Committee; and
- (4) in all other respects to note the terms of the report and commend the work of officers in pursuing the Management of Historic Assets.

7. THE PLANNING (BILL) SCOTLAND

With reference to the Minute of Meeting of 24 August, 2017, (Item 6), there had been circulated a report dated 3 January, 2018, by the Director of Infrastructure Services, providing an update on The Planning (Scotland) Bill, introduced to the Scottish Parliament on 4 December 2017, highlighting the potential implications of the proposal for Aberdeenshire Council, and requesting Members' consideration of proposed responses to the Bill's contents. Having

noted that previous representations did not appear to be reflected in the Bill, the Committee **agreed:-**

- (1) to reiterate previous comments made; and
- (2) that the undernoted additional comments be added to the draft response as detailed in Appendix 2 to the report and submitted to the Scottish Government for consideration:
 - that the Council welcomes that nationally significant applications may now be dealt with at Infrastructure Committee and no longer need to be determined by Full Council;
 - that the evidence of historical and sustained successful joint working locally on clear and forward thinking strategic planning be reiterated, stressing that no case has been made for the centralising of discussions into a National Planning Framework;
 - that the Government need to recognise one size does not fit all, and regional variations, to make fit for purpose, is a good thing;
 - that no evidence has been produced, in discussions with local developers, that planning process is, itself, a barrier to development; in North East Scotland the identified barriers are mortgage, finance, infrastructure needs, and the changing economy;
 - that the Council welcomes community engagement, but is unclear as to how this is to be achieved. Who will determine the validity of competing community plans? Who can submit a “community plan”? How do community plans interface with overall strategy?
 - that the proposed councillor training, if pursued along the same lines as that for Licensing Board members, be welcomed, with the Minister, as final arbiter on planning applications, also encouraged to complete this;
 - that concerns be reiterated on the proposed removal of Main Issues Reports, which have proved to be a valuable tool for community engagement and discussion;
 - that the National Planning Framework does not need to be part of Local Development Plans; the Minister already has scope to influence decisions through their approval of Structure Plans;
 - that no evidence has been given to support a case for centralisation;
 - to welcome the proposed infrastructure levy, but suggest that funds allocation be determined locally and not a matter of centralised decision-making;
 - that greater clarity on the timeousness of specific consent conditions (Question 2 refers) is required; and
 - that consideration be given to the suggestion that bad decisions, taken quickly, should not be considered an improvement in performance.

8. ABERDEENSHIRE COUNCIL DEVELOPMENT PLAN SCHEME 2018

There had been circulated a report dated 4 December, 2017 by the Director of Infrastructure Services, requesting Members' consideration of a proposed Development Plan Scheme for 2018, as required annually by The Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2016 (Section 20b).

After discussion of the comments received from each of the six Area Committees, the Committee **agreed:-**

- (1) to approve the Aberdeenshire Council Development Plan Scheme, 2018; and
- (2) to approve for incorporation into the scheme the amendments from Area Committees, with the exceptions of (a) the suggestion from the Formartine Area Committee that applicants for planning permission that have previously been refused should be notified when a new Local Development Plan process commences; and (b) the suggestion from Marr Area Committee that Strathdon Development Trust and Ballater Business Association be added as contacts in the Development Plan Scheme.

9. FRASERBURGH, PETERHEAD AND ELLON TO ABERDEEN STRATEGIC TRANSPORT STUDY – FEEDBACK OF AREA COMMITTEE CONSIDERATION

With reference to the Minute of Meeting of 30 November, 2017, (Item 8), there had been circulated a report dated 8 January, 2018 by the Director of Infrastructure Services detailing Area Committee comments on the recent option appraisal for improving transport connections between Fraserburgh, Peterhead, and Ellon to Aberdeen. The response from the Formartine Area Committee was tabled.

The Committee **agreed:-**

- (1) that NESTRANS be advised that Aberdeenshire Council welcomes the publication of both pieces of work, considering that both add considerable value to the development of transport improvements on the Fraserburgh, Peterhead, Ellon and Aberdeen transport corridor;
- (2) that the outcomes of both studies be fully considered within the ongoing City Region Deal funded Strategic Transport Appraisal;
- (3) that, contingent on the emerging outcomes of the Strategic Transport Appraisal, further design, appraisal and business case development work is progressed, in partnership with key stakeholders;
- (4) that early discussions are undertaken with Transport Scotland and respective Development Management teams seeking to secure potential funding for early works on identified junctions on the A90(T) and associated implementation pathways; and
- (5) that the submitted response include responses individually attributed to specific Area Committees.

10. STRATEGIC TRANSPORT UPDATE

There had been circulated a report dated 3 January, 2018, by the Director of Infrastructure Services reporting on the progress and developments taken through Nestrans and activities and being taken forward by external agencies and stakeholders in terms of Strategic Transport.

The Committee **agreed:-**

- (1) to note and comment the various activities as outlined in the report;
- (2) that an early update be provided on long distance strategic cycle route (Aberdeen to Inverurie) design; and
- (3) that further progress on updates on the implementation and delivery of the Aberdeenshire Local Transport Strategy (LTS) be reported as appropriate.

11. FESTIVE LIGHTS AND ATTACHMENTS TO STREET LIGHTING COLUMNS POLICY

There had been circulated a report dated 9 January, 2018, by the Director of Infrastructure Services, seeking Members' consideration of a proposed policy on festive lighting and attachments to street lighting columns. Having noted that the report had already been to Area Committees for their input, the Committee **agreed:-**

- (1) to note the widespread opposition expressed by Area Committees and Community Councils to re-charging community groups for electricity supplied through the Council's street lighting network;

- (2) to defer consideration of the policy until a short term working group, including the involvement of area managers, if appropriate, investigate measures to mitigate the potential impact of the matters identified in Paragraph 2.9 of the report; and
- (3) that the draft policy be returned for consideration in May, 2018.

The Committee **agreed** that in terms of Standing Order 2.2 (2), that the meeting continue past 1pm to allow conclusion of consideration of the undernoted items.

12. MANAGEMENT OF CAR PARKING IN ABERDEENSHIRE

With reference to the Minute of Meeting of Aberdeenshire Council of 17 March, 2017, (Item 6), there had been circulated a report dated 4 January, 2018 by the Director of Infrastructure Services, seeking Members' consideration of proposals for the management of car parking in Aberdeenshire.

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

- (1) not to proceed with Decriminalised Parking Enforcement at present,
- (2) that cash and cashless payment options be retained for parking charges, with the telephone option publicised more extensively;
- (3) that officers to undertake the necessary procedures to consult on new tariffs within the current Pay and Display car parks in Aberdeenshire;
- (4) that a Member Officer Working Group, membership to be advised by the Chair and Opposition spokesperson being three administration, three opposition councillors, ideally with a geographical spread, be established to provide guidance on taking forward the proposals to manage car parking in Aberdeenshire; and
- (5) that Area Committees be consulted in the development of the car parking management scheme.

13. ABERDEENSHIRE COUNCIL ROAD INSPECTION POLICY

There had been circulated a report dated 12 January, 2018 by the Director of Infrastructure Services, requesting Members' consideration of a road inspection policy, required in terms of the 2016 Code of Practise, "Well-managed Highway Infrastructure", with which the Council had to comply by October, 2018, and proposing the adoption of a policy to allow this Code of Practise to be implemented, introducing a risk-based approach to categorising the road network, carrying out inspections, and assessing and prioritising defects.

The Committee **agreed** to approve the Road Inspection Policy as appended to the report.

14. CITY REGION DEAL - DIGITAL INFRASTRUCTURE

There had been circulated a report dated 17 December, 2017 by the Director of Infrastructure Services, providing an update on progress with Digital Infrastructure updates for Aberdeen City and Shire, progressed under the City Region Deal, and reporting on the options currently being pursued, including joint ventures with private companies, for the Council to bid for improve gigitability around City Region Deal area.

Having heard further from officers, the Committee **agreed**:-

- (1) to endorse the contents of the report and welcome the progress reported; and

- (2) that a seminar session be organised in early course for all Councillors, to include all current options for improving digital infrastructure in Aberdeenshire, including the involvement of independent providers.

15. SCOTLAND'S ENERGY EFFICIENCY PROGRAMME: SECOND CONSULTATION ON LOCAL HEAT AND ENERGY EFFICIENCY STRATEGIES

With reference to the Minute of Meeting of 1 June, 2017, (Item 14), there had been circulated a report dated 9 January, 2018 by the Director of Infrastructure Services, requesting Members' consideration of a proposed response to the Scottish Government's second consultation on Local Heat and Energy Efficiency Strategies.

Having noted that the proposed draft response would also be submitted to the Sustainability Committee for their consideration, the Committee **agreed** to approve for submission to the Government the draft response as appended to the report, subject to the Minister being asked to clarify the status of encouraging district heating in a context of new build properties being of the highest energy efficiency ratings.

16. RURAL PARTNERSHIP FUNDS 2018 - 2020 UPDATE

With reference to the Minute of Meeting of 2 February, 2017, (Item 13), there had been circulated a report dated 19 December, 2017 by the Director of Infrastructure Services, requesting Members' consideration of the allocation of funds to rural partnerships in 2018 – 2020.

The Committee **agreed**:-

- (1) to note and support the continuing development of the six Area Rural Partnerships;
- (2) to commend progress made on the Action Plans for 2017 – 2018;
- (3) to agree the distribution of funds as detailed in Appendix, subject to the splitting of Marr Area funding to its two rural partnership groups, as had been in 2017;
- (4) that the Director investigate the wider issues of rural partnership funding and report in Autumn 2018; and
- (5) that a further update on Service Level Agreements for 2018 – 2020 be submitted to the Infrastructure Services Committee in March, 2018.

17. MARINE CIVIL ENGINEERING FRAMEWORK CONTRACT – SUPPLEMENTARY PROCUREMENT PLAN

With reference to the Minute of Meeting of 16 March, 2017, (Item 26,) there had been circulated a report dated 12 January, 2018 by the Director of Infrastructure Services, requesting Members' consideration of a propose addition to the Infrastructure Services work plan, to provide for a contract for marine civil engineering for the Council's seven harbours, procured off a framework agreement, for the period 1 April 2018 to 31 March 2020, with an option to extend thereafter for two further 12-month periods, if required.

The Committee **agreed** to approve the addition of the item on the Supplementary Procurement Work Plan as detailed in Appendix 1 to the Infrastructure Services Key Activity Projects and Procurement Plan as approved by the Committee on 16 March 2017.

ITEMS FOR NOTING

The Committee had before them and **noted**:

- (a) Minute of Meeting of NESTRANS of 3 November, 2017, as detailed in Appendix A hereto.
- (b) Draft Minute of Meeting of North East Scotland Fisheries Development Partnership of 17 November, 2017, as detailed in Appendix B hereto.

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APPENDIX A

NORTH EAST OF SCOTLAND TRANSPORT PARTNERSHIP

Minute of Meeting of the North East Scotland Transport Partnership Board

Aberdeen, Friday, 3 November 2017

Present: Councillor Peter Argyle (Chairperson); Dr Margaret Bochel (Vice Chairperson), Councillor Sandra Macdonald (Vice Chairperson); and Councillors Philip Bell, John Cox, Martin Ford (as substitute for Councillor David Aitchison); Alex Nicoll and Colin Pike and Eddie Anderson.

In attendance: Ross Brennan (Aberdeenshire Council), Lisa Christie (Aberdeen City Council), Kirsty Chalmers (Nestrans), Rab Dickson (Nestrans), Paul Finch (Aberdeenshire Council), David Jennings (SDPA, Adviser to the Board), Lucy Johnston (Aberdeenshire Council), Mark Masson (Clerk, Aberdeen City Council), Councillor Ian Mollison (Aberdeenshire Council), Derick Murray (Nestrans) and Ewan Wallace (Aberdeenshire Council).

Apologies: Councillors David Aitchison and Jennifer Stewart, Mr Gerry Donald, Mr George Mair (Adviser to the Board) and Eric Owens (Aberdeen City Council, Adviser to the Board).

1. MINUTE OF BOARD MEETING, 18 SEPTEMBER 2017

The Board had before it the minute of its previous meeting of 18 September, 2017 for approval.

The Board resolved:-
to approve the minute.

2. PRESENTATION ON ABERDEEN-INVERNESS RAIL ENHANCEMENT PROJECT - STACEY MACDONALD, NETWORK RAIL

The Board received a presentation from Stacey Macdonald, Network Rail.

Ms Macdonald provided information in relation to the Aberdeen to Inverness rail enhancement project, which highlighted projected outcomes for each phase, key dates and scale of works to be undertaken which will include disruptions and probable blockades, community engagement and progress of works.

Members then asked a number of questions, and the following was noted:-

- that informal meetings could be arranged to discuss issues relating to impending works, and that members should contact Ms Macdonald in this regard;
- that work to dismantle the Forres compound was progressing this week; □ that tracks currently being re-laid at Kintore would be utilised; and
- that there would be some evening timetable changes to the Inverness to Aberdeen route in 2018.

The Board resolved:-

to thank Stacey Macdonald for her presentation.

3. DIRECTOR'S REPORT

The Board had before it a report by the Director of Nestrans which provided an update on liaison with other RTP's, the Scottish Government and other organisations.

The report recommended:-

that the Board note progress on liaison arrangements with RTP's, the Scottish Government and others and arrangements for future meetings.

The Board resolved:-

- (i) to approve the recommendation; and
- (ii) to note that the Director would submit feedback to the consultant in terms of the issues raised by Councillor Pike relating to the Laurencekirk Flyover exhibition.

4. STRATEGIC TRANSPORT FUND UPDATE

The Board had before it a report which provided an update on matters relating to the Strategic Transport Fund guidance.

The report recommended:- that the Board –

- (a) note the judgement of the Supreme Court; and
- (b) instruct officers to enter into discussions with SDPA, Council officers and others on the implications of the judgement.

The Committee resolved:-

- (i) to approve the recommendations; and
- (ii) to note that the Director would write to the Planning Minister, to suggest that the Planning Bill be amended to take account of the Supreme Court's decision and emphasise the impact that this decision would have financially for the region as a whole.

5. FRASERBURGH AND PETERHEAD TO ABERDEEN STRATEGIC TRANSPORT STUDY

The Board had before it a report which provided an update on progress regarding the Fraserburgh and Peterhead to Aberdeen Strategic Transport Study.

The report recommended:- that the Board –

- (a) agree to pass the final reports for consultation to Aberdeen City and Aberdeenshire Councils; and
- (b) note that the final reports for both the road and rail studies will be made available on the Nestrans website (www.nestrans.org.uk) on 3 November 2017.

The Board resolved:-

- (i) to approve the recommendations; and
- (ii) to note that copies of the Executive Summary and Infographic images could be circulated to members if requested and were also contained on the Nestrans website.

6. NORTH EAST ROAD CASUALTY REDUCTION PARTNERSHIP

The Board had before it a report in relation to the ongoing work to establish a North East Casualty Reduction Partnership and sought endorsement of a Casualty Reduction Strategy, which had been developed in partnership.

The report recommended:- that the Board –

- (a) endorse the refreshed North East Scotland Road Casualty Reduction Strategy; and
- (b) agree to annual updates on the activities set out in the Strategy.

The Board resolved:-

to approve the recommendations.

7. PROGRESS REPORT

The Board had it before it the progress report which outlined the status of various activities of the Regional Transport Strategy.

The Board resolved:-

to note the contents of the report.

8. CONSULTATIONS

The Board had before it a report which provided an update of recent publications and consultation papers of interest and sought to agree a response where appropriate.

The report recommended:-

that the Board –

- (a) consider the draft response to the Scottish Government's consultation on Local Bus Services and approve the attached Appendix A as Nestrans' response;

- (b) consider the draft response to the Scottish Government's consultation on Smart Ticketing and approve the attached Appendix B as Nestrans' response;
- (c) consider the draft response to the Scottish Government's consultation on Free Bus Travel and approve the attached Appendix C as Nestrans' response;
- (d) consider the draft response to the Scottish Government's consultation on Low Emission Zones and approve the attached Appendix D as Nestrans' response;
- (e) consider the draft response to the Scottish Government's consultation on the Greenferns consultation and approve the attached Appendix E as Nestrans' response; and
- (f) note Nestrans' response to the Roadworks consultation in Appendix F.

The Board resolved:-

to approve the recommendations, subject to adding to the response at (c) an alternative approach of a small charge for concessionary travel.

9. STATUTORY CLIMATE CHANGE INDICATORS 2016/17

The Board had before it a report on the responsibilities being placed on Nestrans as a public body in respect of their duties in relation to the Climate Change Act (Scotland) 2009.

The report recommended:-

that the Board note the report and the requirement for Nestrans to report on its activities and policies in respect of Climate Change duties.

The Board resolved:-

to approve the recommendation.

10. 2017/18 BUDGET MATTERS

The Board had before it a report by the Treasurer which provided an update on the Partnership's 2017/18 monitoring and forecast outturn position and to consider any budget or monitoring issues that may arise.

The report recommended:- that the Board –

- (a) note the monitoring position and forecast presented in Appendix 1;
- (b) approve the virements presented in Appendix 2; and
- (c) note the decision of the Supreme Court in relation to the Strategic Transport Fund.

The Board resolved:-

to approve the recommendations.

11. INFORMATION BULLETIN

The Board had before it a report which provided information and updates on a number of matters not requiring decisions.

The report recommended:- that the Board note the contents of the report.

The Board resolved:-
to approve the recommendation.

12. CONFERENCES AND PRESENTATIONS

The Board had before it a list of recent and forthcoming conferences of interest to Nestrans.

The Board resolved:-
to note the content of the list.

13. PENDING BUSINESS AND REPORTS FOR FUTURE MEETINGS

The Board had before it a report which (1) advised members on pending business requested by the Board and major reports scheduled for forthcoming Board meetings; and (2) provided the opportunity for the Board to add to or amend the scheduling.

The report recommended:- that the Board note the report on pending business and agree the provisional scheduling of major reports to future Board meetings.

The Board resolved:-

- (i) to approve the recommendation; and
- (ii) to request that the Director report back on A947 and A96 road developments.

APPENDIX B

NORTH EAST SCOTLAND FISHERIES DEVELOPMENT PARTNERSHIP

WOODHILL HOUSE, ABERDEEN, 17th NOVEMBER, 2017

Present: **Aberdeenshire Council** – Councillors D Beagrie, J Cox, G Reynolds and I Sutherland (as a substitute for Cllr Kille).
Aberdeen City Council – Councillors C Allard and J Laing.
Members of the Scottish Parliament – P Chapman, S Stevenson and M Foley (on behalf of M Watt MSP).
Members of the Parliament – T Mason (on behalf of R Thomson) and D Duguid.
Marine Scotland Science – C Needle
Scottish Pelagic Producers Association – I McFadden
Scottish Seafood Association – J Buchan
Seafish Industry Authority – I Land
Seafood Scotland – D Fordyce

Apologies: Aberdeenshire Council - Councillor A Kille and C Buchan.
Aberdeen City Council - Councillors R Houghton and Donnelly.
Moray Council - Councillor S Warren and C Cowie.

MSPs: A Burnett, G Dey, M Evans, J Fitzpatrick, L Kerr, L Macdonald, M McDonald, J Marra, G Martin, S Robison, M Rumbles, K Stewart, S Stevenson, R Thomson and M Watt.

MEPs: I Hudghton, D Martin, A Smith and C Stihler.

MPs: A Bowie, C Clark and D Duguid.

Aberdeen Fish Producers Organisation - D Anderson

Fraserburgh Harbour Commissioners – T Boyle

HIE Moray - A Kearney

Lunar Fish Producers Organisation - R Stevenson

North Sea Advisory Council - L Duguid

North East of Scotland Fishermen's Organisation - A Birnie

North & East Coast Regional Inshore Fisheries Group - I Maddox

Peterhead Port Authority - I Laidlaw

Scottish Enterprise – G Ford and I Garrett

Scottish Fishermen's Federation – B Armstrong and M Morrison

Scottish Fishermen's Organisation - J Anderson

Scottish Maritime Academy NESCOL - L Hope

Scottish Pelagic Fishermen's Association – I Gatt and A Wiseman

Scottish Seafood Association - D Leiper

Scottish White Fish Producers' Association Ltd - J Mouat and M Park

Seafood Scotland – P Hughes

Officers: Derek McDonald - Industry Support Executive, AC
Anna Ziarkowska – Assistant Committee Officer, AC.

In presence of: Simon Turner (Peter Chapman' office MSP)

Michael Robertson (Joseph Robertson Fisheries)
Michael Clark (IFC NOR-SEA)

1. WELCOME, INTRODUCTIONS AND DECLARATIONS OF INTEREST

The Chair welcomed all present to the meeting. Members were asked if they had any interests to declare in terms of the Councillors' Code of Conduct and no declarations were intimated.

2. PUBLIC SECTOR EQUALITY DUTY

In taking decisions on the undernoted items of business, the Partnership **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 and 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; and
- (2) to consider, where an equality impact assessment had been provided, its contents and to take those into consideration when reaching a decision.

3. MINUTE OF MEETING OF 15th SEPTEMBER, 2017

The minute of meeting of 15th September, 2017 was circulated and **approved** as a correct record.

4. MATTERS ARISING

Derek McDonald confirmed that the presentations from the previous meeting were available online and that Scottish Seafood Centre of Excellence Project progress update would be provided to Members at future meeting of the Group. Derek McDonald also advised that it was not possible on this occasion for the partnership to agree a consensual response to the Economic Link Consultation and thanked all Members for taking the time and trouble to convey their views on this vitally important matter

5. PRESENTATION: SCIENTIFIC ADVICE FOR 2017 BY DR COBY NEEDLE, FISHERIES PROGRAMME MANAGER, MARINE SCOTLAND

The Chair invited Dr Coby Needle, Fisheries Programme Manager at Marine Scotland to deliver a presentation on Scientific Advice for 2017. Mr Needle explained that

International Council for the Exploration of the Sea (ICES) is a global organisation that develops science and advice to support the sustainable use of the oceans. He then gave an overview of ICES advice released on 30th June, 2017 and indicated that further advices were given on 29th September, 31st October and 14th November. It was reported that the advices given based on analysis of catches, recruitment, fishing mortality rate and spawning stock biomass for each species and methodology remains consistent throughout the research.

Thereafter, Mr Needle introduced the details of advice given for each species including North Sea Cod, North Sea Whining, North Sea Plaice, Northern Shelf Haddock, Northern Shelf Saithe, Monkfish, NE Atlantic Hake (Northern), Northern Atlantic and Artic Ling, Fladen and North Sea Nephrops, North Sea Herring, Atlantic Mackerel, Atlanto–Scandian Herring, West of Scotland Cod, West of Scotland Whiting, Rockall Haddock, West Coast & Northern North Sea Megrin, West of Scotland Nephrops, West of Scotland & Ireland herring and Blue whiting.

During discussion, Members queried the approach taken in respect of the collection of data for particular species and considered the implications of advices to fishing industry in future.

The Chair thanked Mr Needle for his presentation and the Group **agreed** to note the content of the presentation.

6. BULLETIN REPORT: SEAFISH BRIEFING PAPER ON BUSINESS RATES

There had been circulated a report dated 9th November, 2017 by the Director of Infrastructure Services which provided Members with a briefing note on business rates prepared by Seafish. It was reported that Seafish has collected information from the Central and Scottish Government websites, their associated valuation/assessor agency websites and various government reports on the 2017 business rates revaluation to give an overview of business rate and rateable value determination in England and Scotland. Members were informed that the most recent revaluation came into effect on 1st April, 2017 and is based on 2015 property value estimates. It was also noted that since the last revaluation in 2010, the total rateable value increased in Aberdeen City and Aberdeenshire area and this represent the second and the third largest overall increases in rateable values in Scotland.

Discussion then followed in respect of the adverse impact of 2017 business rates revaluation on local fish processing enterprises who are bearing a significantly higher business rates burden than their counterparts in England.

After consideration, the Working Group **agreed** to note information provided in the update.

7. PRESENTATION: NON-DOMESTIC REVALUATION 2017 BY IAN MILTON, GRAMPIAN ASSESSOR AND ELECTORAL REGISTRATION OFFICER

The Chair invited Mr Ian Milton, Grampian Assessor and Electoral Registration Officer, to deliver a presentation on Non-domestic revaluation 2017. Mr Milton outlined the process for non-domestic rates and explained the role of particular parties engaged into process, namely Assessor, Government and Local authority. It was reported that currently there are 233,386 properties with £7,358M a total rateable value in Scotland, and 26,036 properties with a total rateable value of £989M in Grampian. Thereafter, Mr Milton described the valuation method employed by assessors and clarify the appeal process for challenging the 2017 revaluation. Members were also informed about future reforms to the scheme and that the Government Non-domestic revolution reform implementation plan to be released in December 2017. During the discussion, Member were interested to find out how the process for non-domestic business rates is administered and the mechanisms behind that.

Thereafter, the Group thanked Mr Milton for his presentation and **agreed** to note the content of the presentation.

Action point 1: Derek McDonald to liaise with James Buchan to work out the proposal on what can be done to minimise the burden placed on fishing industry.

8. VERBAL OVERVIEW ON ABERDEENSHIRE COUNCIL'S ROLE IN BUSINESS RATES BY ALAN WOOD, HEAD OF FINANCE, ABERDEENSHIRE COUNCIL

The Chair invited Mr Alan Wood, Head of Finance at Aberdeenshire Council to provide a verbal overview on the Aberdeenshire Council's role in business rates. Mr Wood explained the mechanics for business rates and clarified the role of various parties involved in the process, namely Assessor, Government and Local authority. He outlined the position of local authority in respect of business rates and indicated that local authorities are responsible for calculating and collecting rates due as well as applying any local relief. Members were provided with some statistics on the level of income generated by Council from business rates and the collection rates in shire area. Thereafter, Mr Wood discussed various business rate reductions and rate reliefs offered by the Council including Small Business Bonus Scheme (SBBS), Empty property relief, Charitable relief, Discretionary relief, Rural relief, Disabled relief, Renewable energy producers relief, Fresh start relief, New start relief, Transitional Relief and Local revaluation relief scheme.

During discussion Members were interested to know the statistics regarding the business rates payable by the public sector in the shire area.

Thereafter, the Group thanked Mr Wood for his update and **agreed** to note the content of the presentation.

Action point 2: Alan Wood to provide some statistics regarding the business rates payable by the public sector.

9. BULLETIN REPORT: EU FAROE BILATERAL AGREEMENT – MINISTERIAL RESPONSES

There had been circulated a report dated 9th November, 2017 by the Director of Infrastructure Services which provided Members with the update on EU Faroe Bilateral Agreement. It was reported that at the Partnership meeting on 10th February, 2017 Members were provided with an insight into the 2015 EU - Faroe Bilateral Agreement by Ms Jennifer Russell of Anderson Solutions (Consulting) Ltd. Following on from the discussion, Members were concerned to note that the value of landings under the Agreement for Faroe in 2015 were estimated at £30.5M whereas the corresponding value to the EU is just £4.8M, including the UK share of £1.9M. Given the stark divergence in the relative benefit of the Bilateral Agreement to the respective parties, Members agreed to lobby UK and Scottish Government to urge a review of the Bilateral Agreement which offered no benefit to the UK and provided a competitive advantage to Faroe by allowing their fleet to access higher quality stock than in generally available in their own waters. The letters have sent to the respective ministers requesting to raise the issue at EU level, with a view to a re-negotiation of the terms of the Agreement to achieve a more equitable outcome for EU fishermen, and the replies have been received.

After consideration, the Working Group **agreed** to consider the report at the next meeting of the Group.

Action point 3: Bulletin Report on EU Faroe Bilateral Agreement – ministerial response to be considered at the next meeting of the Group.

10. INDUSTRY REPORTS AND ROUND TABLE ROUND-UP

The Partnership **noted** updates from the industry representatives in respect of their areas of responsibility and interest.

11. ANY OTHER BUSINESS

It was reported that the pelagic processing industry faces the shortage of pelagic landings from Scottish vessels which is impacting adversely upon Scottish pelagic processors and which has already led to job losses. It was reported that several Scottish pelagic vessels are choosing to land their catches in Norway, to the extent that less than 50% of Scottish pelagic quota is now available to domestic processors which is starving them of product and causing them to lose business. Mr McFadden advised that Scottish Government was well aware of the issue and was committed to securing for Scottish processors a higher share of the landings arising from Scottish quota. There is, he advised, an immediate supply issue which, if not addressed

urgently, could damage the long-term capacity of the Scottish pelagic processing industry. The Group noted the importance of these concerns and agreed to contact the Scottish Government to urge the Cabinet Secretary to take all necessary steps to increase the level of supply of pelagic stocks.

Action point 4: Derek McDonald to liaise with Jimmy Buchan to write letter to Ministers to highlight the serious supply shortage of pelagic stock.

Action point 5: Presentations to be posted on NESFDP webpage and Members to be advised accordingly.

13. DATE OF NEXT MEETING

It was **agreed** that the next meeting of the Partnership would take place on 16th February 2018, Committee Room 5, WHH, Aberdeen.