

ABERDEENSHIRE COUNCIL

SKYPE MEETING, 25 JUNE, 2020

Present: Councillors K Adam, W Agnew, D Aitchison, A Allan, P Argyle, N Baillie, D Beagrie, L Berry, A Bews, G Blackett, R Bruce, C Buchan, M Buchan, S Calder, G Carr, R Cassie, J Cox, I Davidson, S Dickinson, A Duncan, E Durno, A Evison, M Ewenson, A Fakley, M Findlater, M Ford, A Forsyth, P Gibb, J Gifford, V Harper, A Hassan, F Hood, W Howatson, J Hutchison, M Ingleby, J Ingram, P Johnston, A Kille, A Kloppert, J Latham, S Leslie, D Lonchay, R McKail, A McKelvie, D Mair, I Mollison, G Owen, G Petrie, C Pike, G Reid, G Reynolds, D Robertson, A Ross, M Roy, A Simpson, H Smith, N Smith, S Smith, A Stirling, I Sutherland, I Taylor, B Topping, I Walker, L Wilson, R Withey and J Whyte.

Apologies: Councillors A Buchan, H Partridge and A Wallace.

Officers: Chief Executive, Director of Business Services, Director of Education and Children's Services, Director of Infrastructure Services, Chief Officer, Health and Social Care Partnership, Head of Service (Finance), Head of Service (Legal & Governance), Head of Service (Planning & Environment) and Principal Committee Services Officer.

CHAIR

Councillor W Howatson, Provost of the Council, presided.

1. DECLARATION OF MEMBERS' INTERESTS

The Provost asked Members if they had any interests to declare in terms of the Councillors' Code of Conduct. No interests were declared.

2A. STATEMENT ON EQUALITIES

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

- (1) to have due regard to the need to:-
 - (a) eliminate discrimination, harassment and victimisation;
 - (b) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
 - (c) foster good relations between those who share a protected characteristic and persons who do not share it.
- (2) where an Equality Impact Assessment was provided, to consider its contents and take those into account when reaching their decision.

2B. EXEMPT INFORMATION

The Council **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 12 below so as to avoid disclosure of exempt information of the class described in paragraph 9 of Part 1 of Schedule 7A to the Act.

3. MINUTE OF SPECIAL MEETING OF ABERDEENSHIRE COUNCIL OF 10 JUNE, 2020

The Minute of Special Meeting of Aberdeenshire Council of 10 June, 2020, had been circulated and was **approved** as a correct record.

4. PLANNING APPLICATION: APP/2020/0046 - LAND ADJACENT TO SPRINGHILL COTTAGES, BODDAM

With reference to the Minute of Meeting of the Buchan Area Committee of 21 April, 2020 (Item 5A), a report dated 28 May, 2020 by the Director of Infrastructure Services had been circulated requesting consideration of an application for Full Planning Permission for the formation of a Traveller Site for 4 permanent pitches and associated works on land adjacent to Springhill Cottages, Boddam.

The report explained that this was an application which, in the opinion of the Head of Planning and Environment, was of regional significance and therefore required to be determined by Full Council, following consultation with the Buchan Area Committee.

The Head of Planning and Environment introduced the report and responded to questions from Members on the previous application for temporary permission approved on appeal, any differences between the current proposal and the temporary approval granted by the Scottish Government reporter, impact on amenity, potential for noise nuisance, evidence of complaints having been received relating to activity on the site, boundary treatments and layout of pitches.

Thereafter, Councillor S Smith moved, seconded by Councillor Fakley, that Council refuse Full Planning Permission for the formation of a Traveller Site for 4 Permanent Pitches and Associated Works at land adjacent to Springhill Cottages, Boddam for reasons based on the following –

- (1) the development would be significantly detrimental to the amenity enjoyed by the residents in the area;
- (2) the development was not sustainable and was remote from any public infrastructure; and
- (3) the potential for noise nuisance as a result of the development.

As an amendment, Councillor Calder moved, seconded by Councillor Robertson, that Council grant Full Planning Permission as recommended for the formation of a Traveller Site for 4 Permanent Pitches and Associated Works at land adjacent to Springhill Cottages, Boddam subject to the conditions detailed in the report.

Members of the Council voted –

for the motion	(34)	Councillors Adam, Allan, Beagrie, Berry, Blackett, C Buchan, M Buchan, Carr, Duncan, Fakley, Findlater, Forsyth, Gibb, Gifford, Harper, Hood, Howatson, Hutchison, Ingleby, Ingram, Kille, Latham, Lonchay, Mair, Pike, Ross, Roy, N Smith, S Smith, Sutherland, Taylor, Topping, Whyte and Withey.
for the amendment	(31)	Councillors Aitchison, Argyle, Baillie, Bews, Bruce, Calder, Cassie, Cox, Davidson, Dickinson, Durno, Evison, Ewenson, Ford, Hassan, Johnston, Kloppert, Leslie, McKail, McKelvie, Mollison, Owen, Petrie, Reid, Reynolds, Robertson, Simpson, H Smith, Stirling, Walker and Wilson.
absent from the vote	(1)	Councillor Agnew.

The motion was carried and the Council **agreed** to **refuse** Full Planning Permission for the formation of a Traveller Site for 4 Permanent Pitches and Associated Works at land adjacent to Springhill Cottages, Boddam for reasons based on –

- (1) the development would be significantly detrimental to the amenity enjoyed by the residents in the area;
- (2) the development was not sustainable and was remote from any public infrastructure; and
- (3) the potential for noise nuisance as a result of the development.

5. MEDIUM TERM FINANCIAL STRATEGY

With reference to the Minute of Meeting of 30 April, 2020 (Item 5) when it had been agreed that Officers should review the current Medium Term Financial Strategy (MTFS) as a result of the impact of the COVID-19 pandemic on the Council's finances and report back to Council in June, 2020 with an updated position, there was circulated a report dated 23 June, 2020 by the Head of Finance setting out a plan to enable the Council to transition from the current MTFS to a new MTFS as part of the Council's preparations towards the Recovery phase of operations and advising that any necessary decision making in that respect would follow the Council's agreed delegations in terms of the Scheme of Governance.

The Chief Executive introduced the report and the Head of Finance provided further explanation in respect of the Council's current financial position and outlined the transition proposals including the setting of a 20 month budget to 31 March 2022 and other measures which may be deployed.

Thereafter, Councillor Gifford moved, seconded by Councillor Argyle, that Council –

- (1) agree the proposed approach as set out in the report to develop a revised MTFS;
- (2) agree that this work was integral to the transition from response to recovery exercise; and
- (3) receive regular financial updates.

As an amendment, Councillor Ford moved, seconded by Councillor Johnston, that Council –

- (1) agree the proposed approach as set out in the report to develop a revised MTFS including the option of setting a revised revenue budget later this year to run through to March 2022;
- (2) agree that this work was integral to the transition from response to recovery exercise; and
- (3) receive regular financial updates.

Members of the Council voted:-

for the motion	(58)	Councillors Adam, Aitchison, Allan, Argyle, Baillie, Beagrie, Berry, Bruce, C Buchan, M Buchan, Calder, Carr, Cassie, Cox, Davidson, Dickinson, Duncan, Evison, Ewenson, Fakley, Findlater, Forsyth, Gibb, Gifford, Harper, Hassan, Hood, Howatson, Hutchison, Ingleby, Ingram, Kloppert, Kille, Latham, Leslie, Lonchay, Mair, McKail, McKelvie, Mollison, Owen, Petrie, Pike, Reid, Reynolds, Robertson, Ross, Roy, Simpson, H Smith, N Smith, S Smith, Stirling, Sutherland, Taylor, Topping, Whyte and Withey.
for the amendment	(4)	Councillors Bews, Ford, Johnston and Wilson.
absent from the vote	(4)	Councillors Agnew, Blackett, Durno and Walker.

The **motion** was carried and the Council **agreed**:-

- (1) the proposed approach as set out in the report to develop a revised MTFS;
- (2) that this work was integral to the transition from response to recovery exercise; and
- (3) to receive regular financial updates.

6. FINANCIAL PERFORMANCE: 2019/20 YEAR END POSITION FOR REVENUE EXPENDITURE

A report by the Director of Business Services had been circulated (1) setting out the financial position of the Council's revenue budget as at 31 March, 2020, as detailed in Appendix 1 of the report, (2) proposing a number of virements within the budget as detailed in Appendix 3 of the report, and (3) detailing the balances of the General Fund, Housing Revenue Account (HRA) and other Statutory and Usable Reserves. The report requested that the Council consider proposals for (a) funding an additional contribution to the Integration Joint Board of £2,366,583 from the Council's General Fund Balance; and (b) the indicative use of reserves as set out in paragraph 4.14 in the report.

The Head of Finance introduced the report and the Council **agreed**:

- (1) to note the year end position for 2019/20 as set out in Appendix 1 to the report;
- (2) to approve the virements set out in Appendix 3 to the report;
- (3) to note the balances of the Council Reserves as set out in Appendix 4 to the report;
- (4) to approve the payment of £2,366,583 to the Aberdeenshire Integration Joint Board (IJB); and
- (5) to approve the indicative use of reserves as set out in the report.

7. FINANCIAL PERFORMANCE: 2019/20 YEAR END POSITION FOR CAPITAL EXPENDITURE

The Council had before it a report dated 1 June, 2020 by the Director of Business Services (1) setting out the year end position, subject to Audit, for capital expenditure for the financial year 2019/20, as detailed in Appendix 1 of the report, (2) highlighting the variance between the revised budget and the final outturn as detailed in Appendix 2 of the report, and (3) providing detailed explanation for significant variances as detailed in Appendix 3 of the report.

Having heard from the Head of Finance, the Council **agreed**:

- (1) to note the year end position for 2019/20 as set out in Appendix 1 of the report;
- (2) to note the variances between the revised budget and the final outturn shown in Appendix 2 of the report;

- (3) to note the significant variance explanations shown in Appendix 3 of the report.

8. FINANCIAL PERFORMANCE: 2019/20 YEAR END POSITION FOR THE HOUSING REVENUE ACCOUNT (HRA)

There had been circulated a report dated 1 June, 2020 by the Director of Business Services on the year end position, subject to Audit, of the 2019/20 Housing Revenue Account (HRA) revenue and capital accounts. The final outturn for the year to 31 March 2020 was showing a breakeven position for the revenue account and an under budget position, the majority of which related to the New Build Programme, for capital of £27.619 million.

The Council agreed to **note** the Housing Revenue Account (HRA) year end position subject to Audit as at 31 March 2020

At this stage in the proceedings, the Council **agreed** to suspend Standing Order 2.1.2 to allow the meeting to continue beyond 1pm.

9. ABERDEEN CITY REGION DEAL JOINT COMMITTEE - AMENDMENT TO STANDING ORDERS

With reference to the Minute of Meeting of 16 December 2015 (Item 5), there had been circulated a report dated 8 June, 2020 by the Director of Business Services seeking approval of amendments to the Standing Orders for the Aberdeen City Region Deal Joint Committee. The report (1) explained that the COVID-19 pandemic had required the Joint Committee to move to a virtual environment to conduct its business and that the proposed amendments would specify the arrangements for cancelling meetings and allow confidential and exempt business to be determined during virtual meetings; and (2) advised that the proposed amendments were also being reported to Aberdeen City Council for approval.

The Council **agreed** to approve the amendments to the Standing Orders for the Aberdeen City Region Deal Joint Committee as detailed in Appendix 1 of the report.

10. SCOTTISH PARLIAMENT COVID-19 COMMITTEE – RESPONSE TO CALL FOR VIEWS ON REFINING OR REDUCING CURRENT LOCKDOWN ARRANGEMENTS

There had been circulated and was **noted** a report dated 29 May, 2020 by the Director of Business Services advising that (1) a consultation had been received from the Scottish Parliament COVID-19 Committee for views on refining or reducing lockdown arrangements with a closing date for responses of 26 May, 2020, which had not provided sufficient time to present a report to Council for consideration; and (2) Officers had used their delegated powers, as provided for in the Scheme of Governance, to submit a response on behalf of the Council as detailed in the Appendix to the report, following consultation with the Chair, Vice Chair and Opposition Spokesperson.

11. APPOINTMENT OF VICE CHAIR OF COMMUNITIES COMMITTEE

On a circulated report dated 12 June, 2020 by the Director of Business Services seeking the appointment of a Vice Chair of the Communities Committee following the resignation of Councillor Roy from that position, the Council thanked Councillor Roy for his contribution to the Communities Committee and **agreed** to appoint Councillor Mair as the Vice Chair of the Communities Committee with immediate effect.

12. OFFICE SPACE STRATEGY

With reference to the Minute of Meeting of 17 January, 2019 (Item 9) there was circulated a report dated 20 May, 2020 by the Director of Business Services outlining the impact of the COVID-19 pandemic on the Office Space Strategy programme and proposing that a review of some elements of the programme be undertaken as a result.

The Head of Property and Facilities Management introduced the report and the Council **agreed**:

- (1) pause and review the current programme with the exception of the scheduled works due to be completed in Stonehaven once restrictions on construction works are relaxed;
- (2) not proceed with the tendering of a Stage 1 Contractor for the main elements of the programme;
- (3) proceed with the tendering of the alterations to Woodhill House for the enabling works to accommodate Police Scotland, but to delay any further progress on this element until the outcome of the review; and
- (4) report back following consultation with the Office Space Strategy Working Group with the output from the programme review.