

ABERDEENSHIRE COUNCIL

SKYPE MEETING, 24 JUNE, 2021

Present: Councillors W Agnew, D Aitchison, A Allan, P Argyle, N Baillie, D Beagrie, L Berry, A Bews, G Blackett, R Bruce, A Buchan, 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, W Howatson, J Hutchison, M Ingleby, J Ingram, P Johnston, D Keating, A Kille, A Kloppert, J Latham, S Leslie, D Lonchay, L McAllister, 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, A Wallace, L Wilson, R Withey and J Whyte.

Apologies: Councillor H Partridge.

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, Legal and People, Head of Service, Customer & Digital Services, Interim Head of Service, Finance, Head of Service, Planning and Environment and Principal Committee Services Officer.

CHAIR

Councillor W Howatson, Provost of the Council, presided.

ANNOUNCEMENTS

Prior to commencement of the business of the meeting, the Provost congratulated (1) Westhill's Men's Shed, Aberchirder Men's Shed, and Garioch Community Kitchen, Aberdeenshire winners of the Queen's Awards for voluntary service; (2) Paul Anderson (MBE), Anita Weir (MBE), Morna Barron (MBE), Gordon Mills (MBE), Brian Paterson (BEM) and Penelope Shepherd (BEM) Aberdeenshire recipients honoured in the Queen's Birthday Honours List, (3) the 2021 Inspiring Aberdeenshire finalists and winners, and (4) Banchory Primary School following their fund raising achievement in the Northsound Cash For Kids school challenge.

The Provost also welcomed Councillor David Keating to his first meeting of the Council following his election to Ward 12 (East Garioch) on 17 June, 2021.

1. DECLARATION OF MEMBERS' INTERESTS

The Provost asked Members if they had any interests to declare in terms of the Councillors' Code of Conduct. The following declarations were intimated –

- (1) Item 5 - Councillor Evison – on the basis of statements that had recently been in the news from party colleagues in relation to energy from waste plants and having applied the objective test would leave the meeting and take no part in the item;

- (2) Item 5 – Councillor Forsyth – by virtue of the fact that one of the Directors, Mr Graeme Taylor, was known to him through association and conversation and as a near neighbour, their wives being friends and adherents to the Rothienorman Parish Church and Rothienorman Church Music Group, and on occasions during elections Mr Taylor had allowed him to post hoardings of a political nature on his property. He confirmed that they had no joint business or financial interests and having applied the objective test he had concluded that he had no interest to declare and would remain and participate in the meeting;
- (3) Item 5 – Councillor Ewenson – by virtue of her friendship with one of applicants and would leave the meeting and take no part in the item; and
- (4) Item 10 – Councillor Blakett – by virtue of her previous support for the Braemar Community Council petition calling for the Ballater/Braemar Sunday bus provision to be retained but considered her current involvement in the matter to be related to her role as a councillor and having applied the objective test considered the connection to be remote and insignificant and would remain and participate.

2. 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.

3. MINUTES

- (1) **Minute of Meeting of Aberdeenshire Council of 29 April, 2021** - There had been circulated and was **approved** as a correct record the Minute of Meeting of Aberdeenshire Council of 29 April, 2021.
- (2) **Minute of Special Meeting of Aberdeenshire Council Of 29 April, 2021** - There had been circulated and was **approved** as a correct record the Minute of Special Meeting of Aberdeenshire Council of 29 April, 2021.

4. AREA WORKING

With reference to the Minute of Meeting of 26 September, 2019 (Item 13), there had been circulated a report dated 2 June, 2021 by the Director of Education and Children's Services on the future of the Area Improvement Working Group (AIWG)

and ongoing activity required to enhance Area Working. The report (1) explained that the AIWG had originally been established in November, 2018 and had made a number of recommendations which formed the basis of an Action Plan developed in relation to the cultural and behavioural aspects of Area Working, (2) advised that the Council had approved the AIWG Action Plan on 26 September, 2019 and re-established the AIWG with a revised remit to monitor progress in terms of delivering the actions and to make recommendations where necessary to the Procedures Committee on any proposed improvements affecting the Scheme of Governance, (3) highlighted some of the key achievements and milestones reached since September, 2019, (4) outlined proposals to review responsibility for regeneration programmes and Landscape Services at a more local level, and (5) recommended that the AIWG be disestablished and improvement activity around area working be addressed through a number of mechanisms which would allow improvement activity to be more mainstreamed and not seen as a stand-alone activity.

The Council heard from the Chief Executive and **agreed** to:

- (1) acknowledge the progress made by the Area Improvement Working Group since 2019;
- (2) support the mainstreaming of ongoing area improvement activity and approved the following six recommendations from the Area Improvement Working Group;
 - (i) quarterly meetings be held between the Chief Executive, Directors, Area Chairs, Leader of the Council and Area Managers;
 - (ii) Area Working be a standing item on Directorate Management Team agendas;
 - (iii) good quality area planning and performance reporting be achieved as part of the Best Value report actions;
 - (iv) ongoing monitoring and review of Area Management Teams/Forums;
 - (v) the role and reporting arrangements for Area Managers be considered as part of the Chief Officer Review; and
 - (vi) that a bi-annual report on Area Working be presented to Full Council;
- (3) acknowledge the summary of positive examples of area working in Appendix 2 of the report which had emerged since 2019 and the positive contribution that Services working with Area Managers and their teams had made to this work aligned to the remit of the Area Improvement Working Group;
- (4) instruct the Chief Executive to report to the Procedures Committee in respect of the proposals for the management and delivery of the regeneration programme and Landscape Services; and
- (5) disestablish the Area Improvement Working Group.

5. APP/2020/1324 - CONSTRUCTION AND OPERATION OF AN ENERGY FROM WASTE PLANT FOR THE PRODUCTION OF ELECTRICITY UP TO 35MW AT LAND AT KIRKWOOD COMMERCIAL PARK, THAINSTONE, INVERURIE, AB51 5NR - REQUESTS TO SPEAK RECEIVED

Councillors Evison and Ewenson, having previously declared an interest in this item left the meeting during consideration and determination thereof.

There had been circulated a report dated 18 May, 2021 by the Director of Infrastructure Services on an application for full planning permission for the erection of an energy from waste facility at Kirkwood Commercial Park Ltd, Kirkwood Commercial Park, Inverurie which was considered to be of regional significance and required to be determined by Full Council, following consultation with the Garioch Area Committee.

The report advised that (1) the application was a departure from the valid Local Development Plan and had been advertised as such and any representations received had been circulated and taken into account in making a recommendation, (2) the Garioch Area Committee, following a site visit and consideration of the application at its meeting 1 June, 2021, had concluded that it was not in a position to put forward a view on the officer recommendation of approval and instead agreed to put forward a number of comments for consideration, and (3) the application was recommended for approval subject to the conditions detailed in the report.

The Provost advised that requests to speak had been received from the applicant and an objector to the application and the Council **agreed** to hear from the following speakers prior to determination of the application –

Alf Robertson and Euan Hutchison, Agile Energy, applicant.
Ronald Parr, objector.

The Council heard first from the Head of Planning and Environment on the detail of the application including the layout, siting and access arrangements, operational timescale, building design and elevations, landscape and visual impact, management of emissions including Scottish Environment Protection Agency licensing responsibilities and assessment reports submitted.

Mr Robertson then addressed Council stating that the company was a responsible and ethical organisation, that the development would be world class and provide efficient, clean, sustainable and safe energy and would support the Scottish Government climate change and circular economy strategies. He outlined key aspects of the project including employment, educational and inward investment opportunities and future plans for further development.

Mr Parr then addressed Council and outlined his objections relating to the application which he considered to be detrimental to the Aberdeenshire environment, amenity and economic growth and did not comply with Local Development Plan policies. He was of the view that the plant would rely on a rapidly reducing waste supply, result in the emission of substantial greenhouse gases, squander an abundant heat resource and provide no community benefit. Reference was also made to other superior developments and the reducing need for energy produced.

Members were then given the opportunity to ask questions.

The Head of Planning and Environment responded to questions on the use of heat generated and whether planning conditions could be applied in this respect.

Mr Robertson responded to questions on SEPA licence requirements, plans for carbon capture, the research and educational elements of the project, sites considered for the development, plans for use of heat produced, grid connection and expected CO₂ savings.

There were no questions for Mr Parr.

Thereafter, Councillor Johnston moved, seconded by Councillor Davidson, that the application be refused for the following reasons –

1. By reason of situation, mass, size and design because of the tonnage processed the proposal would have an unacceptable impact on the local environment and the amenity of all its residents,
2. The proposed development fails to satisfy the requirements of Policy PR3. This is because the proposal fails to minimise the transport of waste from source to the proposed facility and will rely upon the unsustainable transfer of waste crossing local authority boundaries,
3. The proposal is premature in asserting overriding national need as evidenced by the review of the role that incineration plays in Scotland's waste hierarchy announced by the Scottish Government cabinet secretary Michael Matheson on 9th June 2021,
4. By reason that the proposal does not take into account the circular economy package adopted by UK and the national governments of its nations adopted by statute on leaving the European Community insofar as energy from waste from municipal waste sources is no longer considered renewable energy for the purposes of waste management,
5. The proposal is counter to latest requirements to meet the terms of the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, which amends the Climate Change (Scotland) Act 2009, and sets targets to reduce Scotland's emissions of all greenhouse gases to net-zero by 2045 at the latest, with interim targets for reductions of at least 56% by 2020, 75% by 2030, 90% by 2040. And by virtue of these targets is life limited and subject to early uncertain redundancy,
6. It fails to provide evidence of viable CCS to mitigate the above and therefore the site is unsuitable,
7. Fails to meet the requirement for heat recovery and sufficient evidence of a potential use that could be achieved within the shortened lifetime of the project,

8. The project fails to consider best possible guidance on waste management as part of the circular economy package insofar as incineration and landfill are considered off equal low value within the emerging waste hierarchy, and
9. Does not conform to Policy C2 as it is not considered low carbon energy generated by virtue of composition of MMW and fossil derived materials, unlike other EFW plants based on other waste streams.

As an amendment, Councillor Gifford moved, seconded by Councillor Whyte, that the Council support the Officer recommendation and grant Full Planning Permission subject to the conditions detailed in the report.

Members of the Council voted:-

for the motion	(21)	Councillors Aitchison, C Buchan, Calder, Cassie, Davidson, Dickinson, Durno, Ford, Hassan, Hutchison, Johnston, Kloppert, Mair, McAllister, Reid, Reynolds, Simpson, S Smith, Topping, Walker and Wilson.
for the amendment	(41)	Councillors Agnew, Allan, Argyle, Baillie, Beagrie, Berry, Bews, Blackett, Bruce, M Buchan, Carr, Cox, Duncan, Fakley, Findlater, Forsyth, Gibb, Gifford, Harper, Howatson, Ingleby Ingram, Kille, Latham, Leslie, Lonchay, McKail, McKelvie, Mollison, Owen, Petrie, Pike, Ross, Roy, H Smith, Stirling, Sutherland, Taylor, Wallace, Whyte and Withey.
absent from the vote	(4)	Councillors Evison, Ewenson, Robertson and N Smith.
declined to vote	(2)	Councillor A Buchan and Keating.

The amendment was carried and the Council **agreed**:

- (1) to grant Full Planning Permission subject to the following conditions –

1. Contaminated Land

Any areas of hardstanding, clean cover or other such barriers within the application site boundary that are included within the planning boundary and are required to break one or more pollutant linkages shall be permanently retained as such and shall not be disturbed without the prior written approval of the planning authority.

Reason: In order to ensure any potential contamination of the site is dealt with appropriately in the interests of public and environmental safety.

2. CEMP

No development shall take place unless, a full site-specific Construction Environmental Management Plan (CEMP) has been submitted to, and agreed in writing, by the Planning Authority in consultation with SEPA and identified consultees. The CEMP should address and include the following details:

- Traffic Management Plan;
- Incident Response and Reporting Procedure;
- Schedule of Mitigation;
- Site Waste Management Plan;
- Dust Management Plan;
- Drainage Management Plan or CAR Pollution Prevention Plan as appropriate;
- Construction Communications Plan;
- Species Specific Mitigation and Protected Species Management Plans;
- Schedule of biodiversity enhancement measures;
- Details of silt traps, dust suppression and fuel storage on site;
- Spill Response Plan;
- Noise and Vibration Management Plan;
- Pollution Prevention Plan;
- Copies of Consents and Licenses;
- Path/walkway re-routing;
- Risk assessment of potentially damaging construction activities;
- Identification of biodiversity protection zones and details of the fencing off of habitats;
- Details of the securing of and an outline of the role and responsibilities on site of an independent ecological clerk of works (ECoW);
- Use of protective fences, exclusion barriers and warning signs;
- Details of lighting, both during construction and operation of the site;
- Hours of operation during the construction period;
- Tree Protection Plan and a plan showing position of barrier fencing to protect trees during construction;
- Water Management Plan covering separately the operational and constructions stages of the project;
- Ecological Management Plan;
- Construction SUDs Plan;

Thereafter the proposed development shall be carried out in full accordance with the approved details.

Reason: In the interests of the amenity of the area and protecting the natural habitat.

3. Samples of Materials

No development shall take place unless, full details and samples of the finish and specification of materials to be used on the Energy from Waste Plant and associated plant/machinery or ancillary buildings have been submitted to and approved, in writing, by the Planning Authority. The buildings, plant and machinery shall thereafter be finished in full accordance with the agreed specification.

Reason: In the interests of the appearance of the development and the visual amenities of the area.

4. Electricity Connection

The Energy from Waste Plant hereby approved shall not be brought into use until a working connection to the electricity distribution network and working supply of generated electricity has been secured.

Reason: In order to secure a working supply of electrical energy in order to ensure the development can fulfil the stated purpose and function of an Energy from Waste Plant in the interests of the amenity of the area.

5. Traffic

Heavy Goods Vehicles, including Waste Refuse Vehicles, delivering any waste material, other materials or process consumables; or removing material or residues associated with the operational phase of the development shall not enter or exit the site between 07:00 hours and 09:00 hours or 16:00 hours and 18:00 hours Monday to Friday and not at all on Saturday afternoons or at any time on Sundays all as outlined in the submitted Transport Statement [*Natural Power Transport Statement dated 18 November 2020*].

Reason: In order to ensure that the development can be accommodated within the local and trunk road network in the interests of road safety.

6. Decommissioning

That within a period not less than 2 years prior to the ultimate cessation of operation, or an alternative timeframe as agreed in writing by the Planning Authority, a Decommissioning and Restoration Plan is to be prepared in line with best practice at the time of preparation and submitted for the written approval of the Planning Authority in consultation with SEPA.

Reason: To ensure that the site is appropriately restored, and that provision is in place to facilitate a move towards a "Circular Economy", in the interests of the protection of the natural and water environment.

7. CMS

No works in connection with the development hereby approved shall commence unless a detailed site-specific construction method statement and related site plan has been submitted to and approved in writing by the

Planning Authority. The Construction Method Statement shall include details of:

- Site specific Site Waste Management Plan, included as a separate Appendix, which should include details of how the development will contribute to the Zero Waste Plan in the construction phase of the development, setting out how demolition and construction waste associated with the application site shall be minimised, recovered, stored, reused and disposed of.
- Site Health and Safety Plan
- Construction Schedule
- Temporary Construction Compound
- Crane Pads
- Cable Trenches
- Emergency Procedures
- Materials to be used and resource requirements
- Pollution prevention
- Safety signage

All construction works on the site shall be carried out in strict accordance with the approved Construction Method Statement.

Reason: In the interests of protecting the biodiversity of the environment

8. Travel Plan

That the development shall not commence operation until a comprehensive Travel Plan that sets out proposals for reducing dependency on the private car has been submitted and approved in writing by the Planning Authority in consultation with Infrastructure Services (Transportation). In particular the Travel Plan shall identify measures to be implemented, the system of management, monitoring, review, reporting and the duration of the plan, address the road safety risks of bus passengers crossing the A96 and outline how the developer will provide a safe means of crossing the A96 for bus passengers using the westbound bus stops.

Reason: In the interests of encouraging a more sustainable means of travel to and from the proposed development.

9. Landscaping

No works in connection with the development hereby approved shall commence unless a scheme of hard and soft landscaping works, generally in accordance with *Environmental Impact Assessment Report Appendix 7.1, Landscaping Details dated 10.7.20* has been submitted to and approved in writing by the planning authority. Details of the scheme shall include:

- a) Existing and proposed finished levels.
- b) The location of new trees, shrubs, hedges and grassed areas;
- c) A schedule of planting to comprise species, plant sizes and proposed numbers and density.

- d) The location, design and materials of all hard landscaping works including walls, gabion wall planting, swift boxes, fences and gates.
- e) A programme for the implementation, completion and subsequent management of the proposed landscaping.
- f) Finalised details of the proposed living roof including planting, species and maintenance (generally in accordance with drawing *NOCH-01-2.5-FED-LOLY-002-108 Site Plan dated 17.2.21*).

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

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

10. Drainage

That the proposed foul and surface water drainage systems shall be carried out in accordance with the approved plans and the building shall not come into operation unless the approved drainage system has been implemented in full, unless otherwise agreed, in writing, with the Planning Authority. Following provision of the drainage system it shall thereafter be maintained by the developers or their successors in accordance with an approved maintenance scheme to be agreed, in writing, with the Planning Authority prior to the operation of the development.

Reason: In order to ensure that adequate drainage facilities are provided, and maintained, in the interests of the amenity of the area.

- (2) the following reason for departing from the Aberdeenshire Local Development Plan 2017 -

That the use of a site designated in the Aberdeenshire Local Development Plan (ALDP) for employment/business uses for non-employment/business uses is stated as being contrary to Policy B1 Employment and Business Land, however this can be justified through ALDP Policy PR3 Waste Facilities, Scottish Planning Policy and Planning Advice Note 63 Energy from Waste, which offer support for waste facilities to be located on such sites. The proposal is considered to comply with all other relevant National, Strategic and Local Planning Policy.

6. NORTH ESK, ST CYRUS – SCOTTISH MINISTERS DECISION ON PLANNING APPLICATIONS APP/2018/3027 AND APP/2018/3018

Councillors Evison and Ewenson returned to the meeting.

With reference to the Minute of Meeting of 27 June, 2019 (Item 4) there had been circulated and was **noted** a report dated 26 May, 2021 by the Director of Infrastructure Services advising Council of the decision of Scottish Ministers following the call in of two planning applications for a gypsy/traveller site at North Esk, St Cyrus. The report (1) confirmed that both planning applications had been approved, subject to planning conditions, for a temporary period of ten years from the date of the decisions, (2) outlined measures in place to manage flood risk through the Flood Resilience Plan submitted, (3) made reference to water supply and drainage arrangements for the site, (4) highlighted that the temporary permissions had been given in order to align with the Aberdeenshire Local Development Plan period and the preparation of the next Local Development Plan, to allow for more suitable and sustainable Gypsy/Traveller sites to come forward, and (5) outlined next steps in terms of planning policy issues relating to the decision.

7. REVENUE BUDGET FINANCIAL PERFORMANCE AS AT 31 MARCH, 2021

With reference to the Minute of Meeting of 17 March, 2021 (Item 5), there had been circulated a report by the Director of Business Services on the year end financial position in respect of the Revenue Budget as at 31 March, 2021. The report (1) outlined action taken by Services over the budget period to reach a balanced position, (2) confirmed additional funding received from the Scottish Government to mitigate the impact of COVID-19, and (3) sought approval of the transfers to and from Reserves and drawdown of funds from the General Working Balance to fund the overspend of £650,000 for 2020/21.

The Council **agreed** to:

- (1) note the year end position for 2020/21 as set out in the report;
- (2) approve the transfers to and from Reserves as set out in paragraphs 4.12 and 4.13 in the report; and
- (3) to approve the drawdown from the General Working Balance to fund the overspend of £650,000 for 2020/21.

8. CAPITAL EXPENDITURE FINANCIAL PERFORMANCE AS AT 31 MARCH, 2021

There was circulated a report dated 9 June, 2021 by the Director of Business Services setting out the 2020/21 Year End Position, subject to Audit, for the Council's capital expenditure. The report explained (1) that the revised capital expenditure budget for 2020/21 had been set at £160.071 million, (2) that actual expenditure incurred on capital projects in 2020/21 had amounted to £79.305 million, with many projects delayed as a result of the suspension of the work programme for around 3 months during the initial COVID-19 lockdown period and phased restart thereafter, (3) that a cross service group of officers had been established to assess the impact of COVID-19 on projects assessing prolongation periods, potential uplift

in costs and claims from contractors, (4) that work was ongoing to review the Asset Management and Capital Plans as part of the Medium-Term Financial Strategy and alignment to the new Council priorities, (5) variations for individual projects including significant variations of £100,000 and above, and (6) the proposed virement of £185,000 from the Access/Environment Projects budget line to complete the Faithlie Centre project.

The Council **agreed**:

- (1) to acknowledge the year end position for 2020/21 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 in the report;
- (4) to approve the virement of budget between project lines of £185,000 as detailed in the report; and
- (5) to note that the Director of Business Services would keep Members up to date on the impact of resource shortages on projects via appropriate committees.

9. HOUSING REVENUE ACCOUNT (HRA) OUTTURN 2020/21

There had been circulated a report dated 15 June, 2021 by the Director of Infrastructure Services on the year end position, subject to Audit, of the 2020/21 Housing Revenue Account (HRA) revenue and capital accounts. The final outturn for the year to 31 March, 2021 was showing a breakeven position for the revenue account and an under budget position, the majority of which related to the Housing Improvement Plan, Smart Solar and the New Build Programme, for capital of £42.560 million.

The Council **agreed** to note the HRA provisional revenue and capital outturn as at 31 March, 2021.

10. REVENUE BUDGET 2021 – 2026 UPDATE

With reference to the Minute of Meeting of 17 March, 2021 (Item 5), there was circulated a report by the Director of Business Services providing an update on the Council's final financial settlement position following the Scottish Parliament's approval of the Local Government Finance (Scotland) Order 2021 together with details of additional funding allocated and the impact of that funding on the current financial year and future years. The report (1) confirmed the final settlement position for Aberdeenshire Council including additional funding of £15.652 million, comprising one-off funding of £13.721 million to help mitigate the impact of COVID and a further £1.931 million General Revenue Grant Funding, together with an increase in Revenue Support Grant funding of £27.145 million and corresponding decrease in Business Rates, as detailed in Appendix 1 of the report, (2) highlighted a potential budget pressure in respect of outstanding pay award settlements, (3) provided suggestions for the use of additional funding available as outlined in Appendix 3 of the report, (4) sought consideration of a recommendation from Kincardine and

Mearns Area Committee of the proposed transfer of Carlton House in Stonehaven to the Housing Revenue Account at nil value to allow for the development of social housing, (5) outlined additional risks relating to the impact of the end of furlough scheme and its effect on employment and potential consumer behavioural changes, and (6) explained that further detailed work was required to balance future years' budgets including the re-examination of assumptions relating to the scope and standard of service supporting the Council priorities which would continue to form part of the Medium Term Financial Strategy.

Having heard from the Interim Head of Finance, Councillor Kille moved, seconded by Councillor Argyle, that Council –

- (1) agree the revised final funding package from the Scottish Government as detailed in Appendix 1 of the report;
- (2) agree the proposed changes to the 2021/22 budget, agreed in March 2020, summarised in Appendix 2 of the report;
- (3) note the current forecast position;
- (4) agree the revised Administration budget allocations for 2021/22 as circulated at the meeting and detailed in Appendix 1 hereto;
- (5) delegate authority to the Director of Business Services to approve the business cases in respect of the Digital Strategy allocation following consultation with the Chair, Vice Chair and Opposition Spokesperson of Business Services Committee;
- (6) agree the changes to the indicative revenue budgets for 2022/23, 2023/24, 2024/25 and 2025/26 on a provisional basis detailed in Appendix 4 of the report;
- (7) agree the transfer of Carlton House at nil value and acknowledge the associated risks and associated potential pressure;
- (8) agree that work continues to balance the future years of the revenue budget as part of the Medium-Term Financial Strategy (MTFS) development; and
- (9) agree the transfer of £240,000 from the Recovery and Resilience Reserve to fund increased call handling capacity to support customers calling our contact centre.

At this point in the proceedings, the Council **agreed** to suspend Standing Order 2.1.2 to allow the meeting to continue beyond 1.00pm.

As an amendment Councillor Evison moved, seconded by Councillor Petrie, the Council -

- (1) agree the revised final funding package from the Scottish Government as detailed in Appendix 1 of the report;

- (2) agree the proposed changes to the 2021/22 budget, agreed in March 2020, summarised in Appendix 2 of the report;
- (3) note the current forecast position;
- (4) agree the Partnership proposed budget allocations for 2021/22 as circulated at the meeting and detailed in Appendix 2 hereto;
- (5) delegate authority to the Director of Business Services to approve the business cases in respect of the Digital Strategy allocation following consultation with the Chair, Vice Chair and Opposition Spokesperson of Business Services Committee;
- (6) agree the changes to the indicative revenue budgets for 2022/23, 2023/24, 2024/25 and 2025/26 on a provisional basis detailed in Appendix 4 of the report;
- (7) agree the transfer of Carlton House at nil value and acknowledge the associated risks and associated potential pressure;
- (8) agree that work continues to balance the future years of the revenue budget as part of the Medium-Term Financial Strategy (MTFS) development; and
- (9) agree the transfer of £240,000 from the Recovery and Resilience Reserve to fund increased call handling capacity to support customers calling our contact centre.

Members of the Council voted:-

for the motion	(43)	Councillors Agnew, Argyle, Beagrie Berry, Bruce, M Buchan, Carr, Cox, Davidson, Dickinson, Ewenson, Fakley, Findlater, Ford, Gibb, Gifford, Hassan, Howatson, Hutchison, Ingleby, Johnston, Keating, Kille, Latham, Leslie, Lonchay, Mair, McKail, McKelvie, Mollison, Owen, Pike, Ross, Roy, Simpson, H Smith, Stirling, Sutherland, Taylor, Walker, Whyte and Withey.
for the amendment	(23)	Councillors Aitchison, Allan, Baillie, Bews, Blackett, C Buchan, Calder, Cassie, Duncan, Durno, Evison, Forsyth, Harper, Ingram, Kloppert, McAllister, Petrie, Reid, Reynolds, Robertson, S Smith, Topping and Wilson.
absent from the vote	(1)	Councillor N Smith.

declined to vote (1) Councillor A Buchan

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

- (1) the revised final funding package from the Scottish Government as detailed in Appendix 1 of the report;
- (2) the proposed changes to the 2021/22 budget, agreed in March 2020, summarised in Appendix 2 of the report;
- (3) to note the current forecast position;
- (4) agree the revised Administration budget allocations for 2021/22 as circulated at the meeting and detailed in Appendix 1 hereto;
- (5) to delegate authority to the Director of Business Services to approve the business cases in respect of the Digital Strategy allocation following consultation with the Chair, Vice Chair and Opposition Spokesperson of Business Services Committee;
- (6) the changes to the indicative revenue budgets for 2022/23, 2023/24, 2024/25 and 2025/26 on a provisional basis detailed in Appendix 4 of the report;
- (7) the transfer of Carlton House at nil value and acknowledge the associated risks and associated potential pressure;
- (8) that work continues to balance the future years of the revenue budget as part of the Medium-Term Financial Strategy (MTFS) development; and
- (9) the transfer of £240,000 from the Recovery and Resilience Reserve to fund increased call handling capacity to support customers calling our contact centre.

11. PERFORMANCE MANAGEMENT FRAMEWORK

There had been circulated a report dated 21 May, 2021 by the Director of Business Services seeking approval of the Aberdeenshire Performance Management Framework 2021. The report explained (1) that Councils' had a statutory duty to provide Best Value to support continuous improvement in the performance and delivery of its services, (2) that the Audit Scotland Best Value Assurance Report published in October 2020 recommended that the Council should (i) review its priorities and outcomes to clearly demonstrate progress; and (ii) improve its approach to performance management by streamlining existing practices and supporting a culture of continuous improvement, (3) that the Performance Management Framework had been developed in conjunction with the Improvement Service taking in to account feedback from Council Officers, Internal and External Audit, Senior Management, Elected Members and the Audit Committee, and (4) activities planned to embed the Framework across the organisation.

The Council **agreed** to approve the Performance Management Framework ("the Framework") attached as Appendix 1 to the report.

12. CLIMATE CHANGE DECLARATION

With reference to the Minute of Meeting of 18 March, 2020 (Item 9), there had been circulated a report dated 28 May, 2021 by the Director of Infrastructure Services on recommended actions, following consultation with Area, Policy and Sustainability Committees, to enable the Council to work towards the aims and targets set out in its Climate Change Declaration. The report (1) set out in Appendix 1 the recommended actions grouped in the three key areas of (i) organisational, (ii) internal emissions and sustainability, and (iii) external emissions and sustainability, (2) provided at Appendix 2 further detail on feedback obtained from Committees and Services upon which the recommended actions were based, (3) outlined progress made across the Council since the Climate Change Declaration was agreed in March 2020, and (4) outlined new statutory reporting requirements and additional guidance published by the Scottish Government which had also been taken in to consideration in formulating the recommended actions.

The Council **agreed**:

- (1) to approve the recommended actions as detailed in Appendix 1 of the report to enable Aberdeenshire Council to work towards the aims and targets set out in its Climate Change Declaration;
- (2) to instruct Directors to present their progress against the recommended actions to Sustainability Committee at six-monthly intervals alongside their Carbon Budget six-monthly updates; and
- (3) to instruct Directors to present their progress against the Climate Change Declaration and recommended actions to Full Council annually, alongside the Carbon Budget.

13. WARD 12 EAST GARIOCH BY- ELECTION RESULT AND COMPOSITION OF COMMITTEES

There had been circulated a report dated 18 June, 2021 by the Director of Business Services advising of the results of the by-election held on 17 June, 2021 to fill the vacancy in Ward 12 (East Garioch) and seeking approval of the exact composition of the four Policy Committees and the Audit Committee, having regard to the principle of each member being allocated one committee place.

The Council welcomed Councillor Keating to Aberdeenshire Council and **agreed**:

- (1) to note that at the by-election on 17 June, 2021, to fill the vacancy in Ward 12 (East Garioch), Councillor David Keating was elected;
- (2) to note that following notification to the Chief Executive that Councillor David Keating would form part of the Scottish Conservative and Unionist Group, the following numbers should be noted:
 - the Administration had 41 members (comprising Conservatives (19 – previously 18), Liberal Democrats (13) and Aligned Independents (9),

- the Partnership had 19 members (comprising SNP (17 – previously 18) and the Aberdeenshire Labour and Communities Alliance (2)),
- the small groups and individuals had 9 members; and
- there was one vacancy in Ward 8 (Mid Formartine) for which a by-election was to be held on 19 August, 2021;

- (3) the exact composition of the four Policy Committees and the Audit Committee, having regard to the principle of each member being allocated one committee place;

	Business Services	Education and Children's	Infrastructure Services	Communities	Audit	Total
Administration	8	8	9	8	8	41
Partnership	4	3	4	4	4	19
Amalgamated small groups and individuals	2	2	1	2	2	9
Vacancy		1				1

- (4) to note that the political proportionality for the current standard 14 member, 8 member and 5 member committees and for sub-committees and working groups as approved by Full Council on 24 September, 2020 did not require amendment as a result of the notification outlined at 2 above.

14. COVID RECOVERY - PARTICIPATORY BUDGETING WITH YOUNG PEOPLE.

There had been circulated a report dated 27 May, 2021 by the Director of Education and Children's Services setting out proposals for a Participatory Budgeting (PB) process to be undertaken involving pupils from Primary 7 to Secondary 6 across Aberdeenshire with a focus on COVID recovery and as part of the Council's commitment to see 1% of its available budget distributed through PB. The report explained that the PB process would (1) provide a further tool to support young people to have a voice in their local communities and in the decision making processes of the work of the Council, (2) be undertaken in partnership with the Young Scot between June and September 2021 with successful projects undertaken from October 2021 through to March, 2022, and (3) following a review of the process and evidence of positive impact, be proposed to run in financial year 2022/23 with a focus on climate change/carbon reduction.

The Director of Education and Children's Services introduced the report and the Council **agreed**:

- (1) to the distribution of £85,000 from the Resilience & Recovery Reserve in 2021/22 to fund projects supporting health & wellbeing in

line with Council Priorities, across 17 school networks;

- (2) the proposed process to be run in schools in partnership with Young Scot, with Community Learning & Development leading on behalf of Aberdeenshire Council;
- (3) that following a successful review and evidence of positive impact from the 2021/22 PB process, to instruct the Director of Education and Children's Services to proceed with a similar PB process with young people in the financial year 2022/23 with a Climate change/ Carbon Reduction focus.

15. APPOINTMENT OF CHIEF SOCIAL WORK OFFICER

With reference to the Minute of Meeting of 28 June, 2018 (Item 10) there had been circulated a report dated 11 June, 2021 by the Chief Executive seeking approval of the appointment the Head of Children's Services as the Council's Chief Social Work Officer (CSWO), following the external secondment of the current postholder to another position, and the virement of associated costs from the Integration Joint Board to Education and Children's Services.

The Chief Executive introduced the report, thanked Mr Iain Ramsay for his service as Chief Social Work Officer and wished him well in his new position and confirmed that it was anticipated that deputization for the new postholder would be provided by the Health and Social Care Partnership.

Members also thanked Mr Iain Ramsay for his service as Chief Social Work Officer and the Council **agreed** to:

- (1) note the statutory requirement for Aberdeenshire Council to appoint a Chief Social Work Officer;
- (2) the appointment of Leigh Jolly, Head of Children's Services, as Chief Social Work Officer;
- (3) the virement of the monies associated with the role of Chief Social Work Officer from the Integration Joint Board to Education & Children's Services effective 5 July 2021; and
- (4) delegate the formal deputising arrangements to the Chief Social Work Officer, or in her absence, the Chief Executive following consultation with the Chair of the Education and Children's Services Committee and the Chair of the Integration Joint Board.

16. OUTSTANDING BUSINESS

There had been circulated a report dated 16 June, 2021 by the Director of Business Services on items of business previously scheduled to be reported back to Council and proposing action to be taken as a result of restrictions on travel and other activities implemented in respect of the COVID-19 pandemic.

Having heard from the Director of Business Services, the Council **approved** the arrangements for dealing with outstanding business as detailed in the Appendix to the report.

17. COVID-19 UPDATE

The Council had before it a report dated 16 June, 2021 by the Chief Executive providing an update on the Council's response to the ongoing COVID-19 pandemic as a Category 1 Responder and work being done on the recovery phase. The report highlighted key areas for consideration including impact on communities and businesses, virus suppression, the delivery of the vaccination programme, community testing, impact on staff, service prioritisation and reinstatement, use of offices and the continued focus of recovery activity on incident recovery and coming out of various phases of lockdown/periods of restriction and provided a timeline of key events and milestones relating to the pandemic.

The Chief Executive introduced the report and provided a further update on service delivery, a recent rise in case numbers within Aberdeenshire, improved communications, support for an increase in staycations and visitors to the area, the current focus on resilience and future plans for reporting on the outcome of the Community Impact Assessment and future working environment.

Following discussion, the Council **agreed** to note the ongoing response of the Council as a Category 1 Responder under the Civil Contingencies Act and work being done on the Recovery phase.

Appendix 1 - Administration Group

	<u>21/22</u>	
	<u>£(000)</u>	
Additional funding available		<u>15.651</u>
<hr/>		
Allocated		
<hr/>		
Service Efficiencies and Savings – changes		
Redesign of Instrumental Music Service (1yr)	0.603	
Household Recycling Centres – Optimise site opening hours (2yrs)	0.516	
Flooding - Minor Works (2yrs)	0.564	
Supporting Local Bus Services (2yrs)	0.240	
	<hr/>	1.923
One off allocations		
Investment in Demand Responsive Transport (2yrs)	0.240	
Investment to support Medium Term Carbon Strategy	0.100	
Health and Social Care Partnership	3.000	
Digital Strategy	2.000	
Public Conveniences	0.200	
Community resilience funding	0.111	
Scottish Welfare Fund /DHP	0.450	
Education PPP Maintenance Agreement	2.000	
	<hr/>	8.101
Transfer to reserves - pay award	5.627	
	<hr/>	5.627
Total allocation		<u>15.651</u>

APPENDIX 2

Partnership Priorities for Investment

MENTAL HEALTH AND WELLBEING

Education and Childrens Services	Play therapy skills	£653,000
	Nature/Nurture Pupil Support	£650,000
	Mental Health Champions	£633,000
Infrastructure Services	Housing - suicide prevention	£140,000
	Restorative Justice - Mediation work	£32,000
	Partnership Officer - extending support for vulnerable individuals	£38,000
	Conflict skills training	£32,000
Integration Joint Board	Increased and earlier intervention; specifically on low mood, anxiety, loneliness, loss, self worth	£250,000
	Improving access to self help supports; digital apps, education, on line	£250,000
	Additional support to promote mental wellbeing within Care Homes, with a specific focus on dementia	£100,000
	Roll out of DSB offering (Distress Brief Intervention)	£100,000
	Physical activity to support Recovery from poor mental health	£100,000
	Reshaping Care; working with Housing and Property to model homely sustainable environments that maximise independence and support the	£100,000
		£3,078,000

Further Service Proposals

Education and Childrens	Defer entry to P1	£747,000
Infrastructure Services	Social and Economic Regeneration	£400,000
	Social regeneration - Ranger Service	£20,000
	Roads and pavements, footways and cycleways	£1,000,000
	Roads and pavements - feasibility of app for mapping accessible routes	£15,000
	Flooding resilience for flash flooding - survey/feasibility study	£50,000
	Supporting Local Bus Services	£240,000
	Actions related to developing carbon budgeting	£200,000
Integration Joint Board	Transformation Proposals:-	
	Digital platforms for delivery of services	£300,000
	Prevention and / or Management of Long Term Conditions	£300,000
		£3,272,000

Accepted Officer Suggestions

Business Services	To develop projects to support the Digital Strategy agreed in January 2021 To improve online services for residents of Aberdeenshire Improvements to mobile working for employees Development of Robotic Programme Automation	£1,000,000
Business Services	Public Conveniences	£200,000
Area Managers	Funding for area specific projects within the communities to support resilience during COVID recovery	£111,000
Business Services	Funding to augment Scottish Welfare Support and Discretionary Housing Payments in current financial year 21/22	£450,000
		£1,761,000

Transfer to Reserves

Cross Service	Pay award reserve – pay award outstanding. This reflects a further 1% above the 3% currently provided for within the 21/22 budget	£4,147,000
General Fund Reserve	Additional funding transferred to General Fund Reserve to meet any further in year funding challenges - (additional Covid expenditure, additional pay award, delays in achieving proposed savings, increased contract costs)	£3,393,000
		£7,540,000

TOTAL FUNDING