

ABERDEENSHIRE COUNCIL
INFRASTRUCTURE SERVICES COMMITTEE
SKYPE MEETING, 25 NOVEMBER, 2021

Present: Councillors P Argyle (Chair), J Cox (Vice Chair), W Agnew, D Aitchison, G Carr, A Fakley, M Findlater (Substituting for I Taylor), M Ford (Substituting for P Johnston), D Keating, A Kloppert (Substituting for J Ingram), J Latham, I Mollison, G Reid, and S Smith.

Apologies: Councillors Ingram, Johnston, and Taylor.

Officers: Director of Environment and Infrastructure Services, Head of Service (Planning & Economy); Head of Service (Roads & Infrastructure); Planning Service Manager (Planning & Economy, D MacLennan); Team Manager, Economic Strategy & Policy (Planning & Economy, M Brebner); Regeneration & Town Centres Manager (Planning & Economy); Strategy Manager, (Environment & Sustainability, M Hall), Team Leader (Environment & Sustainability, C Cowie); Policy Manager (Environment & Sustainability); Business Strategy Manager (Customer & Digital Services); Team Manager (Finance, M Beverley), Principal Solicitor (Democratic Services) and Committee Officer (F Brown).

OPENING REMARKS BY THE CHAIR

The Chair, on behalf of the Committee, extended his very best wishes to Councillor Ingram and his family. Councillor Ingram had been unwell, and the Committee wished him a very speedy recovery following an upcoming hospital procedure.

1. DECLARATION OF MEMBERS' INTERESTS

The Chair asked Members if they had any interests to declare in terms of the Councillors' Code of Conduct and the following interest was intimated:

Councillors Kloppert declared an interest in Agenda Item 7, by virtue of being a new member of the Aberdeenshire Local Outdoor Access Forum (ALOAF). Having applied the objective test, Cllr Kloppert concluded that the interest was so remote and insignificant that she would remain and participate.

2A. STATEMENT ON EQUALITIES

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.

2B. EXEMPT INFORMATION

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

| Item No | Paragraph No of Schedule 7A |
|---------|-----------------------------|
| 20 | 1 & 8 |

3. MINUTE OF MEETING OF THE COMMITTEE OF 30 SEPTEMBER, 2021

The Committee had before them, and **approved** as a correct record, the Minute of Meeting of Infrastructure Services Committee of 30 September, 2021.

4. OUTSTANDING BUSINESS

There was circulated a list of outstanding actions from previous meetings of the Infrastructure Services Committee, which had been deferred to future meetings of the Committee, as of 25 November 2021.

The Director of Environment and Infrastructure Services introduced the report and provided the Committee with an update on each of the six outstanding actions and confirmed:

- Item 1 and Item 2 were on the agenda and could be removed if approved by Committee.
- Item 3 – work was underway, and a report would be presented to Committee by the end of the financial year.
- Items 4 - work was ongoing, looking at the purchase of Speed Indicator Devices (SIDs). The Director had written to Police Scotland, and following consideration of their response, a report would be presented back to Committee.
- Item 5 – A report would be presented to Committee in January 2022.
- Item 6 – An update would be provided within the next Strategic Transport Update which would be presented to Committee in January 2022.

The Committee **agreed** to note the current position in respect of actions arising at previous meetings.

5. VISIT ABERDEENSHIRE ANNUAL UPDATE

The Chair welcomed Mr Chris Foy, Chief Executive of VisitAberdeenshire, who was in attendance to provide the Committee with an Annual Update on the work of Visit Aberdeenshire.

As part of his presentation, Mr Foy covered the State of the Market for 2022/21; VisitAberdeenshire's Priorities and the Agenda for 2022.

During discussion, Mr Foy responded to several questions from the Committee, relating to encouraging stay cations and domestic holidays locally; reductions in VAT and business rates for businesses; supply issues, cost of utilities and insurance and lobbying the UK government to support the tourist industry.

The Chair, on behalf of the Committee, thanked Mr Foy for attending, and for providing an extremely informative presentation.

6. PLANNING PERMISSION IN PRINCIPLE FOR MIXED USE ROADSIDE SERVICES DEVELOPMENT, INCLUDING RETAIL (CLASS 1), FOOD AND DRINK (CLASS 3), HOTEL (CLASS 7), REST AREAS AND TOILET FACILITIES, PETROL FILLING STATION (SUI GENERIS), ELECTRIC VEHICLE CHARGING, CHILDREN'S PLAY AREA, LANDSCAPING AND VEHICLE PARKING AT LAND ADJACENT TO A90 / A937 JUNCTION, LAURENCEKIRK, ABERDEENSHIRE – REFERENCE: APP/2021/1231

With reference to the Minute of the Kincardine and Mearns Area Committee Meeting of 12 October 2021 (Item 8B), there was circulated a report dated 21 October 2021, by the Director of Environment and Infrastructure Services, which sought consideration of an application for Planning Permission in Principle, for Mixed Use Roadside Services Development, Including Retail (Class 1), Food and Drink (Class 3), Hotel (Class 7), Rest Areas and Toilet Facilities, Petrol Filling Station (Sui Generis), Electric Vehicle Charging Children's Play Area, Landscaping and Vehicle Parking at Land Adjacent to A90 / A937 Junction, Laurencekirk, Aberdeenshire – Reference: APP/2021/1231.

The report explained that the application had been considered by the Kincardine and Mearns Area Committee, who had agreed that the application should be referred to the Infrastructure Services Committee for final determination, with the recommendation that the proposal should be approved as a departure from the Local Development Plan (2017) on the grounds that the Area Committee were supportive of the proposal, as they considered that Laurencekirk did need more facilities, including a hotel, and that could act as an anchor for wider tourism activity in the Mearns areas and as such approval should be delegated to the Head of Service (Planning and Economy), with Authority to GRANT Full Planning Permission.

The Head of Service (Planning & Economy) introduced the report and provided the Committee with the background to the proposal; the relevant planning history as outlined in pre application submissions received in relation to the development; the main issues for consideration which related to the principle of development; the siting, layout, and design; environmental matters and technical considerations and consultation responses.

Following discussion, the Committee **agreed**:

- (1) To endorse the Officer's recommendation, that Authority to GRANT Planning Permission in Principle, should be delegated to the Head of Service (Planning and Economy), subject to the following conditions:

01. Details of the specified matters listed below shall be submitted for consideration by the Planning Authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No development shall begin on the site unless all of the details listed in this condition have been submitted to and approved in writing by the Planning Authority. The development shall be carried out in complete accordance with the details approved in relation to this condition.

Specified matters:

- (a) Full details of the layout and siting of the proposed development;
- (b) Full details of the external appearance and finishing materials of the proposed development;
- (c) A landscaping scheme and tree protection plan including proposed landscape features, including trees to be retained and planted; a tree survey should be submitted assessing the trees to inform the layout of the development including details of compensatory planting;
- (d) A detailed levels survey of the site and cross sections showing proposed finished ground and floor levels relative to existing ground levels and a fixed datum point;
- (e) Full details of any proposed boundary treatments/barriers;
- (f) Full details of the proposed means of disposal of foul and surface water from the development;
- (g) Full details of the proposed access to the development from the U91K; junction with the A937; and pedestrian connectivity to the north side of the Gauger Burn;
- (h) Full details of the proposed car parking/vehicle turning area for the development;
- (i) Full details of two bus lay-bys complete with shelters on the A937;
- (j) A Construction Environmental Management Plan;
- (k) Full details of external lighting;
- (l) Full details of a travel plan for any individual building; and
- (m) Full details of odour control and noise mitigation.

Reason: Permission for the development has been granted in principle only and subsequent approval is required for these matters in accordance with section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

02. No works in connection with the development hereby approved shall commence unless an archaeological written scheme of investigation has been submitted to and approved in writing by the Planning Authority and a programme of archaeological works has been carried out in accordance with the approved written scheme of investigation. The

written scheme of investigation shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be brought into use] unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning authority. The PERD shall be carried out in complete accordance with the approved details.

Reason: To safeguard and record the archaeological potential of the area.

03. Unless otherwise agreed in writing by the Planning Authority, after consultation with Transport Scotland, the development hereby permitted shall not exceed the following levels:

- 10 Bay Petrol Filling Station (PFS)
- 200sqm GFA Class 1 Retail within the main services building
- 969sqm GFA Class 3 Restaurant
- 100 Bedroom Hotel

Reason: To ensure that the scale of development does not exceed that assessed by the supporting Transport Assessment, and to ensure that the scale and operation of the proposed development does not adversely affect the safe and efficient operation of the trunk road network.

04. No part of the proposed development shall be occupied/brought into use until the A90 / A937 Laurencekirk Junction Improvement Scheme is fully operational, and the new accesses off the A937 and U91K serving this site are completed in full.

Reason: To ensure that the scale of development does not exceed that assessed by the supporting Transport Assessment, and to ensure that the scale and operation of the proposed development does not adversely affect the safe and efficient operation of the trunk or local road network.

05. The lighting details required under Condition 1(k) shall include the following requirements:

Prior to the commencement of the development details of the lighting within the site shall be submitted for the approval of the Planning Authority, after consultation with Transport Scotland, as the Trunk Roads Authority, Network Rail and Environmental Health. The submission shall include full details of the proposed lighting for the development and an impact assessment of obtrusive light from the development. In addition, any lighting associated with the development including any floodlighting must not interfere with the sighting of signalling apparatus and/or train

drivers' vision on approaching trains. All lighting shall be provided and thereafter retained in accordance both with the approved scheme and the Guidance Notes for the Reduction of Obtrusive Light issued by the Institution of Lighting Professionals (GN01:20).

Reason: To ensure that there will be no distraction or dazzle to drivers on the trunk road, that the safety of the traffic on the trunk road will not be diminished, in order to minimise the amount of obtrusive lighting from the development in the interests of the visual amenity of the surrounding area, and to ensure any lighting associated with the development does not interfere with the safe operation of the rail network.

06. The landscaping/boundary/barrier details required under Condition 1(c), and (e) shall include the following requirements:

Prior to commencement of the development, details of the landscaping treatment, and fencing/barrier proposals along the trunk road boundary shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland. All landscaping, fencing and barrier proposals shall be located such that it can be installed and maintained from within the development without requiring access to the trunk road.

Reason: To ensure that there will be no distraction to drivers on the trunk road, that the safety of the traffic on the trunk road will not be diminished, and to minimise the risk of pedestrians and animals gaining uncontrolled access to the trunk road with the consequential risk of accidents.

07. The landscaping/boundary/barrier details required under Condition 1(c), and (e) shall include the following requirements:

Prior to commencement of the development, a further assessment of the requirement for vehicle barrier provision (such as a vehicle restraint system) along the trunk road boundary, shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland. The approved scheme will thereafter be implemented, prior to commencement of the development.

Reason: To ensure appropriate safety barrier provision is provided to protect trunk road drivers from the risks presented by roadside dangers.

08. The drainage details required under Condition 1(f), shall include the following requirements:

There shall be no drainage connections to the trunk road drainage system.

Reason: To ensure that the efficiency of the existing trunk road drainage network is not affected.

09. The drainage details required under Condition 1(f), shall include the following requirements:

No development shall take place on site until such time as a surface and foul water drainage scheme has been submitted to and approved in writing by the Planning Authority. Any Sustainable Urban Drainage Scheme must not be sited within 10 metres of the railway boundary and should be designed with long term maintenance plans which meet the needs of the development. The development shall be carried out only in full accordance with such approved details.

Reason: To protect the stability of the adjacent railway embankment and cutting and the safety of the rail network.

10. The access details required under Condition 1(g), (h) and (i) shall include the following requirements:
- all final junction access arrangements to the site with the public road (U91K) must be agreed in full, with the Planning Authority in consultation with Aberdeenshire Council's Transportation and Roads Development Team.
 - all final junction access arrangements with the A937 public road as generally indicated on drawing "134575/sk7001 rev A" (dated 13/09/21) are to be submitted and on approval be completed in full. All details to be discussed and agreed with Aberdeenshire Council's Transportation and Roads Development Team. All works shall be carried out to the satisfaction of the Planning Authority in consultation with Aberdeenshire Council's Transportation and Roads Development Team.
 - final road/pedestrian layout details including details of proposed pedestrian links to existing public network, must be submitted for approval.
 - Prior to occupation of any building within the development, a continuous fully lit 2m width footway link must be provided between the development and the existing roadside public footway to the north side of the Gauger Burn. A minimum 2m footway width must be maintained across the Gauger Burn.
 - Prior to occupancy of development, parking spaces, surfaced in hard standing materials shall be provided within the site in accordance with the Council's Car Parking Standards.
 - Prior to commencement of development, two number bus lay-bys (complete with shelters) on the A937 are to be designed in accordance with the Design Manual for Roads and Bridges and Aberdeenshire Councils Standards for Roads Construction Consent and Adoption. Layby details are to be discussed, submitted, and agreed in full with Aberdeenshire Council's Transportation and Roads Development Team. All works shall be carried out to the satisfaction of the Planning Authority in

consultation with Aberdeenshire Council's Transportation and Roads Development team.

Reason: In order to ensure that the development is served by an appropriate standard of access and associated servicing in the interests of road safety.

11. The travel plan details required under Condition 1(I) shall include the following requirements:

No building hereby approved shall be brought into use unless a Travel Plan for that building has been submitted to and approved in writing by the planning authority. Each Travel Plan shall encourage more sustainable means of travel and shall include mode share targets. It shall identify measures to be implemented, the system of management monitoring review, reporting and duration of the incorporated measures designed to encourage modes other than the private car. No building shall be brought into use unless the measures set out in its respective approved Travel Plan have been implemented in full.

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

12. The CEMP details required under Condition 1(J) shall include the following requirements:

No works in connection with the development hereby approved (including demolition, ground works and vegetation clearance) shall commence unless a construction environmental management plan (CEMP) has been submitted to and approved in writing by the Planning Authority. The CEMP shall include the following:

- (a) Risk assessment of potentially damaging construction activities;
- (b) Identification of biodiversity protection zones;
- (c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- (d) The location and timing of sensitive works to avoid harm to biodiversity features;
- (e) The times during construction when specialist ecologists need to be present on site to oversee works;
- (f) Responsible persons and lines of communication;
- (g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- (h) Use of protective fences, exclusion barriers and warning signs.

All works carried out during the construction period shall be undertaken strictly in accordance with the approved CEMP.

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

13. The development hereby approved shall be carried out in strict accordance with the approved Preliminary Ecological Appraisal by Eco North dated 3 May 2021, and the specific mitigation and compensation strategy outlined in Section 6, as submitted, and agreed as part of the planning application.

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

14. The odour control and noise mitigation details required under Condition 1(m) shall include the following requirements:

No works in connection with the hotel development shall commence until details of the noise mitigation scheme for the hotel has been submitted to and approved in writing by the Planning Authority. The noise mitigation scheme shall be developed using the baseline and source noise data presented in the Noise Impact Assessment (R21.11007/3/RK, dated 30 April 2021) carried out by Vibrock, unless otherwise agreed with the Planning Authority as a result of updated information.

Reason: To ensure the implementation of a satisfactory means of noise attenuation in the interests of the amenities of the occupiers of the proposed development.

15. The odour control and noise mitigation details required under Condition 1(m) shall include the following requirements:

Full details of the odour control system to be installed in any Class 3 or sui generis food and drink outlet shall be submitted to and approved in writing by the Planning Authority. The design of the proposed odour control systems shall have regard to the document 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems, published by EMAQ as an update to the 2004 report prepared by NETCEN for the Department for Environment, Food and Rural Affairs'. No Class 3 or sui generis food and drink outlet shall operate unless the odour control system has been installed in accordance with the approved details.

Reason: To ensure that odour from the development does not result in undue loss of amenity for surrounding properties.

16. The landscaping details required under Condition 1(c), shall include the following requirements:

Details of the scheme shall include:

- a) A tree survey in accordance with BS 5837:2012;
- b) Existing landscape features and vegetation to be retained;
- c) Protection measures for the landscape features to be retained;
- d) Existing and proposed finished levels;
- e) The location of new trees, shrubs, hedges, grassed areas and water features;
- f) A schedule of planting to comprise species, plant sizes and proposed numbers and density;

- g) The location, design and materials of all hard landscaping works including walls, fences, gates, street furniture and play equipment;
- h) An indication of existing trees, shrubs, and hedges to be removed;
- i) A programme for the implementation, completion, and subsequent management of the proposed landscaping.

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.

17. The proposed development shall be connected to the public water supply as indicated in the submitted application and shall not be connected to a private water supply without the separate express grant of planning permission by the planning authority.

Reason: To ensure the long-term sustainability of the development and the safety and welfare of the occupants and visitors to the site.

18. Waste water from the proposed development shall be disposed of via the public sewer as indicated in the submitted application and shall not be disposed of via private means without the separate express grant of planning permission by the Planning Authority.

Reason: To ensure the long-term sustainability of the development and the safety and welfare of the occupants and visitors to the site.

19. No individual building hereby approved shall be erected unless an Energy Statement applicable to that building has been submitted to and approved in writing by the Planning Authority. The Energy Statement shall include the following items:

- a) Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into the development;
- b) Calculations using the SAP or SBEM methods, which demonstrate that the reduction in carbon dioxide emissions rates for the development, arising from the measures proposed, will enable the development to comply with Policy C1 of the Aberdeenshire Local Development Plan 2017.

The development shall not be occupied unless it has been constructed in full accordance with the approved details in the Energy Statement. The

carbon reduction measures shall be retained in place and fully operational thereafter.

Reason: To ensure this development complies with the on-site carbon reductions required in Scottish Planning Policy and Policy C1 of the Aberdeenshire Local Development Plan 2017.

20. No works in connection with the development hereby approved shall commence unless a Phasing Plan setting out the details of the phasing of the development has been submitted to, and approved in writing by, the Planning Authority. Thereafter, the development shall be carried out in complete accordance with the approved Phasing Plan.

Reason: To ensure that build-out of the development is phased so as to avoid any adverse impact on local services and infrastructure and in the interests of the visual amenity of the area.

- (2) The reasons for departing from the Local Development Plan (2017) were:

The proposal was not in accordance with the Aberdeenshire Local Development Plan (2017), however the materiality of the forthcoming A90/A937 junction improvement scheme, coupled with the economic benefits through job creation and localised expenditure, provides sufficient justification to support the development as a departure from Policy R2: Housing and employment development elsewhere in the countryside. The proposal is aside a primary transportation route in the Strategic Growth Area, within close proximity to the settlement of Laurencekirk and can therefore be considered in accordance with Policy B3 Tourist facilities. It can be accommodated into the local landscape, without detriment to the character or amenity of the area, whilst also providing suitable access and servicing, and is compliant with all other relevant policies of the Aberdeenshire Local Development Plan (2017).

7. ABERDEENSHIRE COUNCIL OUTDOOR ACCESS STRATEGY 2018-2021 AND OUTDOOR ACCESS STRATEGY 2021-2024

There was circulated a report, dated 15 October 2021, by the Director of Environment and Infrastructure Services, which sought to make the Committee aware of the work of the Environment Team over the last three years, through the Outdoor Access Strategy Review 2018-2021, and to seek approval of the Outdoor Access Strategy for the next three years from 2021-2024. The report detailed where the Environment Team was delivering, or contributing to, Scottish Government and current Aberdeenshire Council Priorities.

It was reported that the Strategy was primarily an Aberdeenshire Council working document, to help manage and deliver the key objectives of the Environment Team and to provide opportunities to improve efficiency, participation and collaboration with key stakeholders and partners and the embedded best practice in the delivery of the work of the Environment Team.

The Planning Service Manager (D MacLennan) introduced the report and advised the Committee that Section 4.2 to the report presented the highlights for the period

2018-2021 and Section 4.3 confirmed that the Key Priorities outlined in the 2018-21 Strategy which were, for the most part, achieved within that time.

The report explained that the Outdoor Access Strategy for 2021-24 would continue to provide a structured approach to service delivery over the next three-year period and Section 4.5 of the report presented the aims and objectives of the Strategy and Section 4.6 of the report provided the key priorities which had been identified to deliver the most positive impact on outdoor access in the area.

During discussion, the Planning Manager responded to questions on Appeals to the Reporter on Historic Rights of Way; the relationship with Forest Land Scotland and the path network, (access rights/access for users) and how the strategy addresses any issues.

Further discussion then ensued with regards to best value and performance reporting and a review of performance management and whether consideration of the Strategy should include targets for each performance indicator as presented in Appendix 2 to the report.

The Director for Environment and Infrastructure confirmed that Officers would take that issue away and look at what those targets should look like and that would be discussed in detail at the Planning and Economy Member/Officer Working Group, prior to being remitted back to Committee.

Having considered the content of the report, the Committee **agreed**:

- (1) to **acknowledge** the effectiveness of the work of the Environment Team over the 2018-21 period in relation to non-motorised public access, as outlined in the Outdoor Access Strategy Review 2018-2, as presented in Appendix 1 to the report;
- (2) to **agree** the proposed key priorities, aims and objectives of the Environment Team in relation to non-motorised public access, as outlined in the Outdoor Access Strategy 2021-24, as presented in Appendix 2 to the report;
- (3) to **instruct** the Service to look at, and to include targets within the Strategy, and then to advise the Committee where targets were challenging in future reports; and
- (4) to **note** that a report would be presented to the Planning & Economy Member/Officer Working Group to ensure that the issue of targets would be formalised, following discussion, prior to any reports being remitted back to Committee.

8. ABERDEENSHIRE COUNCIL BUILT HERITAGE STRATEGY REVIEW 2018-2021 AND BUILT HERITAGE STRATEGY 2021-2024

There was circulated a report, dated 12 October 2021, by the Director of Environment and Infrastructure Services, which sought to make the Committee aware of the work of the Environment Team over the last three years, through the Built Heritage Strategy Review 2018-2021, and to seek approval of the Outdoor Built

Heritage Strategy for the next three years from 2021-2024. The report detailed where the Environment Team was delivering, or contributing to, Scottish Government and current Aberdeenshire Council Priorities.

It was reported that the Strategy was primarily an Aberdeenshire Council working document, to help manage and deliver the key objectives of the Environment Team and to provide opportunities to improve efficiency, participation and collaboration with key stakeholders and partners and the embedded best practice in the delivery of the work of the Environment Team.

The Planning Service Manager (D MacLennan) introduced the report and advised the Committee that Section 4.2 to the report presented the highlights for the period 2018-2021 and Section 4.3 confirmed that the Key Priorities outlined in the 2018-21 Strategy which were, for the most part, achieved within that time.

During discussion, the Planning Manager responded to questions and confirmed the Built Heritage Strategy did include bridges which were listed across Aberdeenshire; the Heritage Materials Store in Mintlaw, would be taken forward by the Sustainability team but a report would be brought back to the Planning & Economy Member/Officer Working Group, the Buchan Area Committee, and the Infrastructure Services Committee.

The report explained that the Built Heritage Strategy for 2021-24 would continue to provide a structured approach to service delivery over the next three-year period and Section 4.5 of the report presented the aims and objectives of the Strategy and Section 4.6 of the report provided the key priorities which had been identified to deliver the most positive impact for the Historic Environment for the area.

Further discussion then ensued with regards to best value and performance reporting and a review of performance management and whether that Strategy should include targets for each performance indicator as presented in Appendix 2 to the report.

The Director for Environment and Infrastructure confirmed that Officers would take that issue away and look at what those targets would look like and that would be discussed in detail at the Planning and Economy Member/Officer Working Group, prior to being remitted back to Committee.

Having considered the content of the report, the Committee **agreed**:

- (1) to **acknowledge** the effectiveness of the work of the Environment Team over the 2018-21 period to conserve, manage, enhance, and promote Aberdeenshire's built heritage as outlined in the Built Heritage Strategy Review 2018-2021, as presented in Appendix 1 to the report;
- (2) to **agree** the proposed key priorities, aims and objectives of the Environment Team to conserve, manage, enhance, and promote Aberdeenshire's built heritage as outlined in the Built Heritage Strategy 2021-24, as presented in Appendix 2 to the report;

- (3) to **instruct** the Service to look at, and to include targets within the Strategy, and then to advise the Committee where targets were challenging in future reports; and
- (5) to **note** that a report would be presented to the Planning & Economy Member/Officer Working Group to ensure that the issue of targets would be formalised, following discussion, prior to any reports being remitted back to Committee.

9. CROWN ESTATES SCOTLAND FUNDING ANNUAL REPORT

With reference to the Minute of the Infrastructure Services Committee meeting of 11 March 2021 (Item 12), there was circulated a report, dated 15 October 2021, by the Director of Environment and Infrastructure Services, which provided an annual update on the delivery of Crown Estate Funds, which had been allocated to Aberdeenshire Council to benefit coastal communities.

The report explained that Aberdeenshire had received a total of £770,916.15 to date through two separate annual allocations for the period 2019/20 and 2020/2. Appendix 1 to the report provided an overview of the funding allocations, project commitments, spend to date, with the minority of the funds remaining uncommitted totalling £88,881.05 with a spend deadline of 31 March 2022. The report recommended that the uncommitted funds, which had not been delegated to areas, should be allocated to the Coastal Communities Fund so that the funds could be recommitted.

The Team Manager (Economic Strategy & Policy) introduced the report and advised the Committee that since writing the report, a third allocation of Scottish Government Funding had been confirmed, which had used a new allocation methodology for determining the proportion of funding allocated to each Local Authority, which had resulted in a significantly larger award of £716,000 to Aberdeenshire which was equivalent to the previous two-year allocations. It was noted, however, that the presumption in the award letter was that the spend deadline would be 31 March 2022. It was recognised that the deadline would be extremely challenging, being so far into the Financial Year, to allow the spend of all the allocated funds and Officers were currently exploring the flexibility of the spend requirement to see if the Scottish Government would agree an extension to that spend deadline.

Having considered the content of the report, the Committee **agreed**:

- (1) to **note** the annual Report on Crown Estate Scotland funding managed by Aberdeenshire Council; and
- (2) to **approve** the reallocation of any presently uncommitted funds outside of the Area Committee allocations to the Aberdeenshire Coastal Communities Challenge Fund.

10. TOWN CENTRE FIRST PRINCIPLE

With reference to the Minute of the Infrastructure Services Committee Meeting of 1 December 2016 (Item 9), where the Committee had approved the Council's Town

Centre First Principle (TCFP) Policy, which was embedded into Service Strategy and the Council's Procurement Systems, with all Officers being asked to consider TCFP in their decision making processes, there was circulated a report, dated 20 October 2021, by the Director of Environment and Infrastructure Services, which advised the Committee that the Town Centre Policy had now reached the end of its five-year term, and in line with the Policy Development and Review Framework, the Committee were now asked to consider its renewal.

The Regeneration and Towns Centre Manager introduced the report and advised the Committee that it was clear from the internal and Area consultation that the TCFP Policy had been successful as it had raised awareness and had allowed mitigating action to be taken by Officers where decisions would impact town centres. The report recommended the TCFP policy be approved without change for a further five years, with additional cross service work required to embed the policy into all Council strategies, Area Plans, and as an underpinning principle to the forthcoming Place Strategy.

During discussion, the Committee discussed the Principal Town Centres listed in Section 4.3 to the report and commented that some recognition should be given to other areas which should not be forgotten as part of the wider Place Strategy and Place plans.

Specific mention was made to Portlethen, Mintlaw and Westhill which were not categorised as Town Centres, however, while they were not traditional town centres, there were many areas that were changing, with a lot of new businesses opening since the start of the pandemic and the Committee requested that those towns should not be forgotten.

Having considered the content of the report, the Committee **agreed**:

- (1) to **note** the comments from Area Committees set out in Appendix 2 to the report;
- (2) to **approve** the Town Centre First Principle, as a policy for the next five years for Aberdeenshire Council, as set out in Appendix 1 to the report;
- (3) to **agree** to the Town Centre First Principle covering the ten key towns laid out in the Local Development Plans, as highlighted in Appendix 4 to the report; and
- (4) to **request** that Officers ensure that Portlethen, Mintlaw, Westhill and other towns would not be forgotten as part of the Place Strategy and Place Plans, in recognition of community concerns in those areas.

11. A947 MEMBER/OFFICER WORKING GROUP MEMBERSHIP

With reference to the Minute of the Meeting of the Infrastructure Services Committee Meeting of 21 June 2018 (Item 17), where the Committee had approved the nominations for the membership of the A947 Member/Officer Working Group, there was circulated a report, dated 10 November 2021, by the Director of Environment and Infrastructure Services, which sought consideration for the appointment of two

members to the A947 Member/Officer Working Group, as nominated by the Formartine and Garioch Area Committees.

During discussion, the Committee queried the process for nominating members to the group, as contained in Section 3.3 to the report, which had stated that all Area Committees should have had been consulted. The Director confirmed that the same process had been used when members were appointed to the group previously, however, Officers would be asked to explore the nomination process and update the Committee accordingly.

Having considered the content of the report, the Committee **agreed to appoint** Councillor A Stirling from the Formartine Area Committee and Councillor D Keating from the Garioch Area Committee to the A947 Member/Officer Working Group.

12. CARBON BUDGET UPDATE 2021-22

With reference to the Minute of the Aberdeenshire Council meeting of 24 June 2021 (Item 10), where the Council agreed a one off allocation of £100,000 to support the next phase of developing the Carbon Budget setting process, there was circulated a report, dated 10 November 2021, by the Director of Environment and Infrastructure Services, which presented a six-monthly progress update on the Directorate's Carbon Budget, covering the agreed Carbon Budget 2021-2022, as set out by Aberdeenshire Council on 17 March 2021 (Item 9).

The report provided updates on projects to meet targets, as set out in Appendix 1 to the report and explained the unprecedented ongoing pressures, due to Covid-19, which had impacted the progress and implementation of many actions that were under consideration for 2021-2022, with challenges across all four Directorates as listed in Section 4.3 to the report.

The Team Leader (Economic Development & Protective Services) introduced the report and advised the Committee that the main points to note in the report were the many factors which had added to the challenges to meet targets as mentioned in paragraph 4.3 to the report. In addition, work had just begun on the Route Map to 2030 which looked to advance the Carbon Budget process to ensure it was fully embedded into the Financial Budgets and to ensure what would be required for the Council to meet the 2030 reduction targets.

During discussion, the Team Leader (Economic Development & Protective Services) responded to several questions:

- Appendix 1, the base budget savings had been listed as 2,500 however, four projects had failed to deliver carbon savings and the forecast savings would be 539, 20% of the original estimated.
- Upcoming changes to how emissions would be reported annually would include home working emissions, which had been included in the submission to the Scottish Government for emissions for 2020/21, and the Council would look to address that going forward as part of the Route Map.
- Appendix 1 showed the base budget figures; however, it was agreed that the reporting structure for that information would need to be presented in a more

understandable way to the public, who may wish to interrogate that information. The information should be presented as budget savings per service, to make it clear that it is not the amount the service has, but the savings the service would be required to produce.

Having considered the content of the report, the Committee **agreed**:

- (1) that they had **reviewed** and **commented** on the Carbon Budget six-monthly update as attached as Appendix 1 to the report;
- (2) to **note** the ongoing responsibility of the Director of Environment & Infrastructure Services, to secure reduction targets as set out in the Carbon Budget, and to report progress at six-monthly intervals to the Infrastructure Services Committee and to the Sustainability Committee;
- (3) to **note** that the previous requirement for the Director of Infrastructure Services (now Director of Environment & Infrastructure Services) to develop a Carbon Reduction Plan, setting out how the Directorate would reach emission reduction targets by 2030 and 2045, would be presented to the Infrastructure Services Committee by 31 October 2021 had been incorporated into the Route Map to 2030 work which was ongoing;
- (4) to **note** the requirement for the Director of Environment & Infrastructure Services to develop a Medium-Term Carbon Strategy, based on the four Directorate Carbon Reduction Plans, which would now be included in the Route Map to 2030 work and would be presented alongside the Carbon Budget 2022-23; and
- (5) to **request** that Appendix 1, the Carbon Budget Update reporting structure presentation should be made clearer, to ensure that it was more understandable for members of the public, interrogating that information.

13. ABERDEEN CITY COUNCIL LOCAL TRANSPORT STRATEGY

There had been circulated a report, dated 10 November 2021, by the Director of Environment and Infrastructure Services, which had advised the Committee that Aberdeen City Council were consulting on updating their Local Transport Strategy and Aberdeenshire Council as one of its key stakeholders had been requested to provide a response on what the main issues would be from the Aberdeenshire Council's perspective.

The report explained that Aberdeen City Council had announced that they would seek to consult on the Main Issues in respect of their Local Transport Strategy and Appendix 1 to the report set out the questions raised, and the proposed responses to those questions for consideration.

During discussion, the Committee raised several comments to the proposed response, namely, the response should be strengthened before the final submission to include:

- Aberdeen to Inverurie Cycle Routes – Concerns were raised about breaks in the cycle routes from Blackburn to Aberdeen City. Active Travel infrastructure cannot be delivered without that section as cycle lanes should be joined up.
- Strategy – improvements should be made to the relative attractiveness of public transport and active travel. Public choices are founded upon individual choice (car versus bus fares, speed of journeys etc.,).
- Cleaner/Greener Transport – Aberdeen City should consider their priorities for the delivery and offer different transport modes.
- To improve the operation of buses travelling from Aberdeenshire, Aberdeen City should consider their road network which was not setup to help or prioritise bus operations.

Having considered the content of the report, the Committee **agreed**:

- (1) that they had **considered** the questions raised by Aberdeen City Council and **commented** on the proposed response from Aberdeenshire Council's Transport Strategy Team as set out in the consultation document in Appendix 1 to the report; and
- (2) to **delegate** authority to the Head of Environment and Sustainability to finalise the response, taking into account the comments raised by the Committee, following consultation with the Chair, Vice Chair and Opposition Spokesperson, and to then submit it to Aberdeen City Council.

14. BRIDGES DECADE INVESTMENT PROGRAMME (2021 – 2029)

With reference to the Minute of the Infrastructure Services Committee meeting of 13 May 2021 (Item 8), where the Committee had approved the Bridges Workbank Prioritisation Policy and Procedure for immediate use, there was circulated a report, dated 9 November 2021, by the Director of Environment and Infrastructure Services which detailed the outcome of the prioritisation procedure, in combination with the projected funding, to provide a programme of works to the end of the current decade, for information.

The report explained that Appendix A to the report had provided the outstanding Workbank List, in prioritised order, for individual bridgework capital schemes which had a priority of 40 or more; Appendix B had identified the financial year proposed for individual bridgework schemes and how much had been allocated from each of the two relevant capital budget lines; and Appendices C to G had referenced the allocation of an approved annual top slice amount from the new capital budget line "Infrastructure Investment Fund 1 (Bridges)".

The Chair on behalf of the Committee thanked the Bridges team for the huge amount of work that had gone into the programme of work, recognising the huge challenge that Aberdeenshire had faced, with over 1,500 bridges which would require huge investments, to support the bridges infrastructure. A robust and objective process had been put in place to decide on the priorities for all the bridges which had been matched against available funding and while not everyone would be happy with that programme, there would always be challenges with Bridges.

The Chair advised the Committee that a number of requests to speak had been submitted for the report as presented before them, however, after careful consideration of each of those requests to speak, the Chair had determined that it would not be appropriate to hear from those representations as the Committee were not being asked to consider individual bridges as part of the report before them, or their place in the prioritisation programme, as that had already been determined at a previous meeting, however, that did not mean that those individuals could not be heard at any point in the future.

Having considered the content of the report, the Committee **agreed** to **acknowledge** the outcome of the policy and procedure as detailed in the attached appendices to the report.

15. ROADS ASSET MANAGEMENT UPDATE

With the reference to the meeting of Infrastructure Services Committee of 26 November 2020 (Item 7), there had been circulated a report, dated 9 November 2021, by the Director of Environment and Infrastructure Services, which provided the Committee with updates on the condition of roads related infrastructure assets within Aberdeenshire and which provided an assessment of the implications of various expenditure scenarios.

The report provided the Annual Status and Options Report 2021, as presented in Appendix 1 to the report, in accordance with Audit Scotland recommendations, which summarised the status of road assets in terms of size, value and condition and which also presented a number of investment scenarios for the major roads assets, with options presented and issues raised being in line with nationally agreed approaches to Roads Asset Management and which were also designed to assist with the decisions that members would be required to take in the annual budget-setting process.

Having considered the content of the report, the Committee **agreed**:

- (1) that they had **considered** and **commented** on the Status and Options Report 2021 as appended to the report as Appendix 1;
- (2) to **acknowledge** the estimated annual costs needed to maintain roads infrastructure in its current condition; and
- (3) to **have regard** to the contents of the Status and Options Report 2021, when making decisions relating to the future management of the road network.

At this point, the Committee **agreed** to suspend Standing Order 2.1.3 to allow the meeting to continue after 1.00pm.

16. ENVIRONMENT & INFRASTRUCTURE SERVICES DIRECTORATE PLAN ACTION AND PERFORMANCE UPDATE, APRIL – SEPTEMBER 2021 (ABERDEENSHIRE PERFORMS)

With reference to the Minute of the Infrastructure Services Committee meeting of 17 June 2021, (Item 8), there was circulated a report, dated 12 November 2021, by the Director of Environment and Infrastructure Services, which provided the Committee with an update on progress, with actions, and performance measures set out in the Environment & Infrastructure Services Directorate plan, (formerly the Infrastructure Services Directorate Plan) for the period 1 April to 30 September 2021, which fall under the remit of the Infrastructure Services Committee.

The report set out a total of 53 action to be undertaken in support of the Council's Operational Priorities, under four themes (Economic Development, Environment, Connectivity and Housing) and the report concentrated on those actions and measures which fall under the remit of the Infrastructure Services Committee.

The Director of Environment and Infrastructure Services introduced the report and advised the Committee that Appendix 1 to the report provided details of annual measures for Environment and Infrastructure Services, which included performance with 26 measures, 17 of which were on or above target and 5 were below. Section 4.7 to the report provided a detailed explanation of the reasons that performance had gone down from the previous year.

Appendix 2 to the report provided details of the quarterly operational measures, with 18 measures being shown, however, only 14 had data for Quarter 2 performance. The majority of measures which were below target were from the Planning Service (7 of their 9 indicators) as noted in Section 4.9 to the report, and while it was not clear why performance had fallen, it was reported that that was being investigated by the Service.

Having considered the content of the report, the Committee **agreed**:

- (1) that they had **considered** progress and performance made during the period 1 April – 30 September 2021 with the key measures and actions set out in Appendix 1 – 3 to the report; and
- (2) to **instruct** the Director of Environment and Infrastructure Services to continue to present performance reports to the Committee on a six-monthly basis, evidencing progress and performance with delivery of the priorities set out in the Environment and Infrastructure Services Directorate Plan 2020 – 2022.

17. FINANCIAL PERFORMANCE AS AT 30 SEPTEMBER 2021

There was circulated a report, dated 27 October 2021, by the Director of Business Services, which provided the Committee with the revenue and capital budget position to 30 September 2021, the forecast position to the end of the current financial year and an update with progress on the achievement of agreed savings.

The report explained that the revised Revenue Budget for 2021/22 amounted to £59,866,000, with a budget forecast position to the end of the financial year of £342,000 over budget as presented in Appendix 1a and 1b to the report.

The approved revenue budget for 2021/22 including savings of £4.141 million, of which £660,000 had been reallocated, and £500,000 for Parks and Open Spaces had been removed. Details of how savings had been allocated by Type of Spend and Budget Page was detailed in Section 6.2 to the report.

The report further explained that the Capital Budget for 2021/22 in respect of Infrastructure Services was £87.954 million as detailed in Appendix 3 to the report, with an anticipated £1.279 million underspend with major variances detailed in Section 7.3 to the report.

Having considered the content of the report, the Committee **agreed**:

- (1) that they had **considered** and **discussed** the Revenue forecast over budget position of £342,000;
- (2) to **note** the Director had approved budget virements as set out in Appendix 2b to the report;
- (3) to **approve** the Committee virements as set out in Appendix 2b to the report;
- (4) to **note** the progress with agreed savings as set out in paragraph 6.2 to the report; and
- (5) that they had **considered** and **discussed** the Capital under budget position of £1,279,000 as set out in Appendix 5 to the report.

18. CONSULTATION RESPONSE: SCOTTISH GOVERNMENT CONSULTATION ON PROPOSED CHANGES TO ENERGY STANDARDS

There was circulated a report, dated 12 November 2021, by the Director of Business Services, which asked the Committee to consider and comment on the Aberdeenshire Council response to the Scottish Government consultation on Scottish Building Regulations, which was proposing changes to Energy Standards and associated topics, including Ventilation, Overheating and Electric Vehicle Charging Infrastructure.

The report explained that the outcome of the consultation, would result in amendments to The Building (Scotland) Regulations 2004 (as amended) (the Building Regulations), and supporting guidance in late 2021, bringing statutory change into force in 2022. Those changes would have some impact for Aberdeenshire Council in terms of building, development and renovation works, as well as the planning and provision of Electric Vehicle (EV) infrastructure.

During discussion, the Committee commented:

- The consultation had been framed by the Scottish Government, which the Committee had little control over.
- It would be difficult to offer an opinion on Questions 2 and 3, if the Committee did not know the answer to Question 4, which could result in financial implications which were unknown.

- All future consultations should ensure that the Committee would have sufficient information, and evidence to support that, to allow the Committee to respond appropriately.

Having considered the content of the report, the Committee **agreed**:

- (1) to **approve** the Council response to the Scottish Government Consultation on Scottish Building Regulations, attached as Appendix 1 to the report, subject to the inclusion of comments by the Committee;
- (2) to **note** that the response deadline was 26 November; and
- (3) to **agree** that the response would be submitted to the Scottish Government.

19. PROCUREMENT APPROVAL FORM – HAULAGE OF RESIDUAL WASTE TO ENERGY FROM WASTE FACILITY

There was circulated a report, dated 10 November 2021, by the Director of Environment and Infrastructure Services, which sought approval of the Procurement Approval Form with regards to contracting a service for the bulk haulage of residual (non-recyclable) waste from 5 waste transfer stations throughout Aberdeenshire to the Council's shared Energy from Waste facility at Altens, Aberdeen from 29 October 2022.

Having considered the content of the report, the Committee **agreed**:

- (1) to **approve** the Procurement Approval Form, as presented as (Appendix 1) to the report, to procure a bulk haulage service for the delivery of residual (non-recyclable) waste to the Council's shared Energy from Waste facility; and
- (2) **not** to reserve the award of the contract for the bulk haulage of residual (non-recyclable) waste to the Energy from Waste facility and to **note** that the Head of Service (Environment and Sustainability) would have the delegated powers to award the contract.

ITEMS FOR NOTING

- A. The Committee **agreed** to **note** the Minute of the Rural Affairs Working Group Meeting of 10 March 2021.
- B. The Committee **agreed** to **note** the Minute of the Fisheries Working Group Meeting of 26 May 2021.
- C. The Committee **agreed** to **note** the Minute of the North East Scotland Fisheries Development Partnership Meeting of 11 June 2021.
- D. The Committee **agreed** to **note** the Minute of the Waste Management Working Group Meeting of 16 June 2021.
- E. The Committee **agreed** to **note** the Minute of the Planning & Environment Member/Officer Working Group Meeting of 21 June 2021.

- F. The Committee **agreed** to **note** the Minute of the City Region Deal Meeting of 20 August 2021.

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