

ABERDEENSHIRE COUNCIL**INFRASTRUCTURE SERVICES COMMITTEE****WOODHILL HOUSE, ABERDEEN, 28 JANUARY, 2016**

Present: Councillor D A Aitchison (Chair), S W Smith (Vice Chair), W A Agnew, P J Argyle, R Christie (substituting for H Partridge), G J Clark, J B Cox, A Gardiner, J Latham, R J Merson, I J Mollison, C H Nelson, M Roy and B H Stuart.

Apologies: Councillor H Partridge.

Officers: Director of Infrastructure Services, Head of Planning and Building Standards, Head of Service (Roads and Landscape), Planning Manager (Planning and Building Standards), Planning Service Manager (Environment/Specialist Services), Regeneration and Towns Centre Manager, Facilities Manager, Estates Manager, Commercial Development Manager, Chief Accountant, Senior Solicitor (P Robertson) and Committee Officer (F Brown).

DIRECTOR OF INFRASTRUCTURE SERVICES – FLOODING UPDATE

The Director of Infrastructure Services provided the Committee with a verbal update on the recovery response following a number of unprecedented flooding events in Aberdeenshire which had an enormous impact on communities and on local infrastructure. The Council, in conjunction with partnership organisations and communities, were working towards restoring normality through a co-ordinated recovery plan approach and draft Area Committee Plans were being prepared which would look at area specific issues and then prioritise how to respond to those issues. Communication would be key to restoring normality as quickly as possible and there would be a number of challenges ahead.

The Director expressed enormous praise for everyone who had volunteered within local communities and commended the response by staff within not just Infrastructure Services but also other services within the Council and partnership organisations.

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 no interests were declared.

2. RESOLUTIONS**A. PUBLIC SECTOR EQUALITY DUTY**

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

- (1) to have due regard to the need to:-
 - (a) eliminate discrimination, harassment and victimisation;
 - (b) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
 - (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.

B. EXEMPT INFORMATION

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

Item No	Paragraph No of Schedule 7A
19	11
20	9

PLANNING AND BUILDING STANDARDS

3. FULL PLANNING PERMISSION FOR DEMOLITION OF STEADINGS AND ERECTION OF 3 DWELLINGHOUSES AT SITE AT DONNIEMAUD, CORNHILL, BANFF – REFERENCE: APP/2014/1799

With reference to the minute of the meeting of Banff and Buchan Area Committee of 8 September, 2015 (Item 8B, Page 531), there had been circulated a report dated 26 November, 2015 by the Director of Infrastructure Services which sought consideration of an application for Full Planning Permission for the Demolition of Steadings and the Erection of 3 Dwellinghouses at a Site at Donniemaud, Cornhill, Banff, AB45 2BD – Reference: APP/2014/1799.

The report advised that the Banff and Buchan Area Committee had referred the application to the Infrastructure Services Committee, confirming their support for the application as a departure from the Aberdeenshire Local Development Plan, 2012 on the grounds that the development of the redundant brownfield site was acceptable and did accord with policy. They also took the view that the proposed development would not constitute overdevelopment of the site; it would not have a detrimental impact on the locality; it would support sustainable economic development and would encourage and support regeneration and maintain and enhance the quality of natural heritage and built environment.

The Planning Manager (Planning and Building Standards) introduced the report and advised the Committee that the principal planning issue for the proposed application related to whether the proposal would meet the requirement of Policy 3: Development in the Countryside and SG Rural Development 1: Housing and Business Development in the Countryside. In particular, the issue is whether the subdivision of the site and granting planning permission for 3 houses on the site, in conjunction with a neighbouring proposal for 3 houses pending a grant of planning permission (APP/2014/1820), would exceed the policy threshold of 3 houses previously developed land in the countryside. The Planning Manager advised the Committee that the Planning Service would recommend that the application be refused for the reasons contained within Section 5.1 to the report as the proposal would exceed the number of dwellinghouses allowed for the site and there were no exceptional circumstances to warrant a departure from those policies.

Having been advised that a request had been received to address the Committee prior to determination of the application, the Committee heard from the agent, Mantell Ritchie in support of the application.

When asked, Mr Ritchie indicated that he felt he had been given a fair hearing.

After due consideration Councillor Cox, seconded by Councillor Roy, moved:-

- (1) That the Infrastructure Services Committee should endorse the decision of the Banff and Buchan Area Committee and delegate authority to the Head of Planning and Building Standards to GRANT Full Planning Permission, subject to:-
 - a) The conclusion of negotiations regarding Developer Obligations; and
 - b) Conditions to cover the following matters:-
 - (i) Roads and Accesses;
 - (ii) Energy Efficiency Requirements;
 - (iii) Foul and Surface Water Drainage; and
 - (iv) Landscape and Boundary Details

As an amendment, Councillor Smith, seconded by Councillor Merson moved:-

- (1) that the Committee REFUSE Full Planning Permission for the following reasons:-
 - (a) The proposed development is contrary to Policy 3: Development in the countryside, as contained in the Aberdeenshire Local Development Plan 2012, as the proposal fails to meet the criteria set out in SG Rural Development1: Housing and business development in the countryside, in that the three houses proposed for this site, which consists of a subdivided previously developed site and additional agricultural land, in conjunction with the neighbouring proposal for the erection of three houses (APP/2014/1820) which would be situated on the other part of the subdivided previously developed site as well as additional agricultural land, would exceed the number allowed for by this policy; and that the proposal cannot be considered as an exceptional case which could warrant the granting of planning permission.
 - (b) The proposal does not comply with Policy 8: Layout, siting and design of new development, and SG LSD2: Layout, siting and design of new development, in that the proposed development fails to acknowledge and respect the existing neighbouring features and would detract from the countryside character and setting in this locality.

The members of the Committee voted:-

for the motion	(8)	Councillors Christie, Clark, Cox, Gardiner, Latham, Mollison, Roy and Stuart
for the amendment	(6)	Councillors Agnew, Aitchison, Argyle, Merson, Nelson and Smith

The motion was carried and the Committee **agreed** to GRANT Full Planning Permission as detailed in the motion for the reasons given by the Banff and Buchan Area Committee.

BUSINESS SERVICES

4. STONEHAVEN FLOOD PROTECTION SCHEME

With reference to the Minute of the Meeting of the Infrastructure Services Committee of 14 May, 2015 (Item 13, Page 2072) where the Committee had approved the promotion of the Stonehaven Flood Protection Scheme which was taken forward during July and August, 2015, there had been circulated a report dated 12 January, 2016 by the Director of Business Services which sought consideration in accordance with the requirements of the Flood Risk Management (Scotland) Act 2009 that the Committee having taking into account objections

received make preliminary decisions on how to progress the proposed scheme with modification.

The Head of Service (Roads and Landscape) introduced the report and advised the Committee that 11 objections had been received during the public consultation period and those objections were presented in Appendix 1 to the report along with Officer's responses to those objections. It was reported that Officers had entered into dialogue with the objectors and the main issues raised as presented in section 2.9 of the report had been discussed and mitigation provided. If that mitigation were approved it was expected that 4 of the 11 objections would be withdrawn and the next stage in compliance with the legislation would be that the Committee must make a preliminary decision to:-

- a) Confirm the proposed scheme without modification;
- b) Confirm the proposed scheme with modification; or
- c) Reject the proposed scheme.

It was highlighted that if the Committee were to approve the preliminary decision to proceed with the scheme (with or without) modification then the next step would be to notify Scottish Ministers of the decision and they would then need to decide whether they wished to consider the scheme and undertake a public local enquiry or refer the scheme back to the Council.

Having been advised that 7 requests had been received to address the Committee prior to determination of the report, the Committee heard from David Macdonald on behalf of the Stonehaven Flood Action Group who was in support of proposed scheme with modification and then Andrew Gorrara, Ian McDonald, John Briggs, Christine Burns, J D McIntosh and Dr Will Munro who all confirmed that they would reject the proposed scheme on the grounds that they all still had objections. Some suggested mitigations, if approved, would remove their objections, however until these were detailed they could not give an undertaking to withdraw.

After due consideration, the Committee **agreed**:-

- (1) To make the preliminary decision that the proposed scheme should be progressed with modification; and
- (2) To notify Scottish Ministers of that decision.

PLANNING AND BUILDING STANDARDS

5. PROPOSED ABERDEESHIRE FORESTRY AND WOODLAND STRATEGY 2016

There had been circulated a report dated 15 January, 2016 by the Director of Infrastructure Services which presented to the Committee the proposed Forestry and Woodland Strategy (FWS) which would be supplementary guidance to the Aberdeenshire Local Development Plan 2016 which was encouraged by the Forestry Commission Scotland (FCS) guidance document *The Right Tree in the Right Place* and the Scottish Government.

The Head of Planning and Building Standards introduced the report and advised the Committee that the proposed Forestry and Woodland Strategy 2016 as presented in Appendix 1 to the report had been prepared in light of the initial 'Call for Views' from stakeholders and community workshops and the next stage if approved would be to undertake an eight week consultation period where Area Committees would be able to consider the strategy and make any comments and then a revised version of the strategy would be remitted back to the Infrastructure Services Committee to allow the Committee to make any further comment and approval.

During discussion the Committee highlighted that there was no reference within the Strategy to enforcement activity for the maintenance of forestation on privately owned land which could threaten neighbouring houses. The Head of Planning and Building Standards advised the Committee that he would consider those issues and report back to the Committee with written answers to those concerns.

After due consideration, the Committee **agreed:-**

- (1) To approve the proposed Aberdeenshire Forestry and Woodland Strategy;
- (2) To approve an eight-week public consultation period on the proposed strategy; and
- (3) To agree that the proposed Strategy would be presented to each Area Committee for comment.

6. ABERDEENSHIRE COUNCIL'S RESPONSE TO THE SCOTTISH LAND USE STRATEGY CONSULTATION

There had been circulated a report dated 12 January, 2016 by the Director of Infrastructure Services which sought consideration of a Scottish Government consultation response to a second national Land Use Strategy (LUS) which it was reported had to be updated every 5 years as part of the legal requirement for the Climate Change (Scotland) Act 2009 where the Land Use Strategy previously produced in 2011 was reviewed and new actions and proposals agreed to further the aims and objectives of the strategy.

The Head of Planning and Building Standards introduced the report and advised the Committee that the proposed response was contained in Appendix 1 to the report and Appendix 2 to the report was the full consultation document.

After due consideration, the Committee **agreed:-**

- (1) To approve the Aberdeenshire Council response to the Scottish Land Use Strategy Consultation as contained in Appendix 1 to the report.

7. ABERDEENSHIRE COUNCIL LOCAL DEVELOPMENT PLAN SCHEME 2016

There had been circulated a report dated December, 2015 by the Director of Infrastructure Services which presented to the Committee the proposed Aberdeenshire Council Development Plan Scheme 2016 as provided in Appendix 1 to the report which set out the Authority's programme for preparing and reviewing the Local Development Plan.

The Head of Planning and Building Standards introduced the report and advised the Committee that consultation and examination activities were limited as the proposed plan had been submitted for examination by a reporter and engagement would only be for two pieces of supplementary guidance to support the new Local Development Plan, namely the Forest and Woodland Strategy and the Special Landscape Areas Supplementary Guidance. It was reported that there was nothing further to do until the examination was completed and it was expected that a report would be available in September/October, 2016.

The Committee were advised that the Planning Service would change the way it currently engaged with members and the committee and a report would be presented to the Planning and Building Standards Member/Officer Working Group to consider how this would be undertaken.

During discussion the Committee welcomed the report but requested that Recommendation 1.1 be removed from the report as the Committee always consider their responsibilities with

regard to Equality Impact Assessment and pay due regard to the Council's Public Sector Equality Duty at the start of the meeting.

After due consideration the Committee **agreed:-**

- (1) To remove recommendation 1.1 from the report; and
- (2) To approve and publish the 2016 Development Scheme.

8. FRASERBURGH 2021 STAGE 2 HERITAGE LOTTERY FUNDING (TOWNSCAPE HERITAGE) APPLICATION – GOVERNANCE

The Committee were advised that the report had been withdrawn, but would be presented to a future Infrastructure Services Committee meeting.

After due consideration the Committee **agreed:-**

- (1) To note the report had been withdrawn and would be presented to a future Infrastructure Services Committee meeting.

9. ABERDEENSHIRE 2016 YEAR OF INNOVATION, ARCHITECTURE AND DESIGN AWARDS

There had been circulated a report dated 14 January, 2016 by the Director of Infrastructure Services which provided the Committee with background information on the Aberdeenshire Design Award Scheme which had been in operation since 1997 and which asked the Committee to acknowledge the success of the current scheme, but then to consider the possibilities for a different approach to the scheme in recognition of 2016 being the year of Innovation, Architecture and Design.

The report suggested a move away from the more traditional approach where awards were given to completed projects to a new scheme which would put greater emphasis on innovation where applicant's would be required to submit design proposals for conceptual design projects which had not yet been built and the candidates would be assessed on innovative design, deliverability, cost and sustainability.

During discussion there was some support for the changes to the previous design awards scheme to a more innovative scheme which would encourage new ideas and designs and which would encourage young design students to come forward with proposals for conceptual designs.

However, some concerns were also raised regarding the details of proposed changes to the scheme, in particular when taking into account that members had not been consulted on the proposed changes. Areas of particular concern were the composition of the judging panel and also whether there would be any legal implications for members on the judging panel who might consider an architecture design which at some point in the future could come back as part of a formal planning application to Aberdeenshire Council which members may be consulted on.

As the Committee could not come to agreement on proposed changes to the Design Awards Scheme until legal advice had been sought, it was suggested that the decision should be delegated to a short life working group which would consist of the Chair, Vice-Chair, Councillor Argyle and one other member and a legal officer within the next two weeks to allow the scheme to be launched in February, 2016.

After due consideration the Committee **agreed**:-

- (1) To delegate authority to the Chair, Vice Chair, Councillor Argyle and one other member of the opposition to convene a meeting within the next two weeks at which they would come to a consensus on the arrangements for the Aberdeenshire Design Awards Scheme; and
- (2) Further discussion would be required to consider legal matters relating to members when considering future planning applications and the composition of the judging panel.

10. REVIEW OF SCOTTISH PLANNING SYSTEM

With reference to the Minute of the Meeting of the Infrastructure Services Committee of 26 November, 2015 (Item 6, Page 938) where the Committee considered a report concerning the Review of the Scottish Planning System, there had been circulated a report dated 6 January, 2016 by the Director of Infrastructure Services which presented the comments which had been submitted by the Head of Planning and Building Standards as part of the consultation to meet the December deadline for submissions as presented in Appendix 2 to the report and which also provided comments made by Area Committees following consideration of the report as presented in Appendix 3 to the report.

The Head of Planning and Building Standards advised the Committee that while the comments provided by the Area Committees were detailed and wide ranging as presented in Appendix 3 to the report, it was noted that they related more to operational matters and as such would not be included as part of the Council's evidence but Officers would look into those issues and address them in the future.

The Committee were asked to approve the proposed letter to the Scottish Government which would confirm the Committee's support for the evidence previously submitted and which highlighted any comments and clarifications.

After due consideration, the Committee **agreed**:-

- (1) To approve that the Council's submission to the consultation exercise would consist of the comments submitted by the Head of Planning and Building Standards as contained in Appendix 2 to the report and the additional comments contained in the draft letter as contained in Appendix 4 to the report.

11. COUNTRYSIDE PATHS NETWORK MANAGEMENT, MAINTENANCE AND COSTINGS

There had been circulated a report dated 14 January, 2016 by the Director of Infrastructure Services which provided the Committee with the outcome of a Review of the asset management options available to the Council in developing a future approach to the maintenance, repair and refurbishment of the paths, bridges and countryside sites and to seek the Committee's agreement for the proposed approach to identifying those assets that should be managed and maintained by the Council.

It was reported that a similar report on the outcome of the Review had been considered by all six Area Committees and their views were presented as Appendix 3 to the report and a summary of Officers' responses to those views was presented in Section 2.3 of the report

During discussion the Committee welcomed the paper and acknowledged that while there were specific issues raised for paths and bridges as part of the review which would be dealt with by officers, the real issue was that there were insufficient budgets to maintain all core

path networks and bridges within Aberdeenshire and as such the Committee were in agreement that other options should be considered as suggested in Section 2.12 of the report.

After due consideration, the Committee **agreed**:-

- (1) To note the outcome of the Path Management and Maintenance Review;
- (2) To note the Area Committee comments following consideration of a similar report;
- (3) To agree the proposed approach by Officers in identifying the paths and bridges that require Council management and maintenance;
- (4) To note that existing budgets were insufficient to maintain all the paths and non-motorised bridge networks and that additional financial resources were being sought from the revenue and capital budgets to provide additional funds to manage and maintain the non-motorised bridge network;
- (5) To note the implications for the Gordon Way and sections of the Coastal Path and that a report on further development of missing links and maintenance of the Coastal Path and Gordon Way long distance routes was the subject of a separate report on the agenda;
- (6) To agree the proposed approach to informing Community Council Forums in early 2016 of the paths and sites to be maintained by the Council and engage and discuss options for support at a local level; and
- (7) To explore alternative options for the maintenance of core paths and networks (e.g., Community Justice, Project Initiatives and alternative funding streams).

12. MAINTENANCE AND DEVELOPMENT OF LONG DISTANCE ROUTES

There had been circulated a report dated 14 January, 2016 by the Director of Infrastructure Services which provided the Committee with background information on the management and maintenance of Long Distance Routes in Aberdeenshire of which four of the routes were funded from the Aberdeenshire Revenue and Capital budgets with a further two routes (Deeside Way and Formartine and Buchan Way) also being identified as routes which should also be maintained by the Council.

Reference was made to Gordon Way and parts of the Coastal Path which had been identified as having not met the required criteria for the Council to maintain those routes and as such there were significant issues associated with the long term sustainability of parts of the routes along with the likely costs associated with the increasing number of severe weather conditions.

The Planning Manager (Environment and Specialist Services) introduced the report and advised the Committee that the cost implications of maintaining the coastal path as part of annual planned maintenance was a significant and the feasibility study as presented in Appendix 2 to the report as summarised in Section 2.8 had concluded the sustainability of current sections of the Coastal Path, identified potential routes for the missing sections and reviewed the route of the sections which are or have been closed to identify a more sustainable route.

During discussion the Committee acknowledged the funding challenges faced by the Council for the maintenance of the Long Distance Routes which it was recognised were beneficial for improving local economy and quality of life for local residents and as such they agreed that alternative funding options should be explored with no further development of the route being undertaken at the Council's expense.

The Committee noted that Scottish Natural Heritage and Visit Scotland were promoting long distance routes throughout Scotland and recognised the funding concerns associated with not just extending the routes but the financial impact on authorities to maintain those routes and representation would be made to both organisations as well the possibilities for other avenues for funding.

The Committee agreed that update reports for the maintenance and development of Long Distance Routes should be presented to Area Committees and the Infrastructure Services Committee at a future date.

After due consideration, the Committee **agreed:-**

- (1) To note the costs and implication of continuing to develop and maintain the Coastal Path and agreed that at the current time further development of the route should not take place at the Council's expense and that representation should be made to the Scottish Natural Heritage in relation to the current funding challenges;
- (2) To note the costs implications of continuing to develop and maintain the Gordon Way and agree that officers investigate alternative options for the future management and further development of the route; and
- (3) To request that update reports be presented to Area Committees and then Infrastructure Services Committee at a future date.

ROADS AND LANDSCAPE SERVICES

13. NATIONAL HIGHWAYS AND TRANSPORT SURVEY RESULTS 2015

There had been circulated a report dated 5 January, 2016 by the Director of Infrastructure Services which provided the Committee with the results of the National Highways and Transport Public Satisfaction Survey result for 2015 which collects public perspectives on the importance of and satisfaction with, road and transportation in local authority areas.

The Head of Service (Roads and Transport) introduced the report and advised the Committee that 100 Local Authorities had taken part in the survey in 2015 (five of which were Scottish) and Aberdeenshire Council's response rate was 22%, just above the national average.

It was reported that Section 2.12 of the report compared the overall levels of public importance and satisfaction in 2013 and then again in 2015 and while the three largest gaps for Aberdeenshire were Highways Conditions, Safer Roads and Traffic Pollution, in satisfaction for all three the gap had decreased.

After due consideration, the Committee **agreed:-**

- (1) To note the results of the National Highways and Transport (NHT) Survey for 2015; and
- (2) To agree that Aberdeenshire Council continues to take part in the survey to allow for identification of trends and to allow for measurement of public satisfaction.

14. WINTER MAINTENANCE

With reference to the Minute of the Infrastructure Services Committee Meeting of 27 November, 2015 where the Committee had been presented with a Roads Services Winter Review Operational Plan and had agreed that the plan should be presented to each Area

Committee for comment before final approval by the Infrastructure Services Committee, the Head of Service (Roads and Landscape) provided the Committee with a verbal update on the Area Committee comments and the main issues raised related to the timing of winter maintenance for:-

- Severe conditions;
- Footpath gritting;
- Forecasting

The Head of Service (Roads and Transport) advised the Committee that as the North East had experience a relatively mild winter thus far, he would recommend that an update report should be presented to the Infrastructure Services Committee as part of a post winter review and that report should consider options for footpath gritting and consider the financial implications for each option.

The Committee welcomed the report and agreed that a post winter review would be extremely helpful and further consideration should be undertaken of promoting within communities self-directed help as part of a spend to save approach where additional provisions were made available by way of the relocation of existing grit bins which were currently under used, the restock and refill of grit bins through a tagging system and the use of social media to promote the timing of gritting of the roads network to allow the public to plan their journeys.

After due consideration, the Committee **agreed:-**

- (1) To request that as part of the post winter maintenance review a report should be presented to the Infrastructure Services Committee as soon as it was practical and that report should review the options for footpath gritting and the financial implications; and
- (2) That self-directed help should be encouraged within communities which should be supported by additional provision or relocation of grit bins as part of a spend to save option.

ECONOMIC DEVELOPMENT

15. CREATION OF A NEW PROPERTY INVESTMENT FUND

There had been circulated a report dated 14 December, 2015 by the Director of Infrastructure Services which provided the Committee with background information on issues which had been discussed at the Regeneration Member/Officer Working Group (RMOWG) which related to the need for a consistent intervention approach by Aberdeenshire Council to deal with derelict town centre properties and prominent buildings which were prevalent across four northern towns. It was reported that the RMOWG at their meeting of 11 November, 2015 had agreed the creation of a New Property Investment Fund and that fund would seek to enable the delivery of town centre property improvements and bring vacant buildings back into use.

The Director of Infrastructure Services introduced the report and advised the Committee that this would be collaborative approach to try to address community concerns over town centre properties laying vacant with a view to encouraging owners to bring their vacant properties back to suitable standards for residential or commercial use.

The Director highlighted that the report had sought approval of the scheme as presented in Recommendation 1.1 to the report, however, following advice from Legal and Governance he would also suggest three additional recommendations as part of governance arrangements for the fund, namely:-

- 1.2 To recommend to the Policy and Resources Committee that it approves the allocation of £400,000 from the Regeneration and Priority Town Centre Reserve for the purposes of the Property Investment Fund;
- 1.3 To approve the proposed criteria and management of the Property Investment Fund as outlined in Appendix 1 to the report; and
- 1.4 To amend the wording in Paragraph 3.1 of Appendix 1 last sentence "Applications for funding of up to £20,000 should be delegated to the Head of Economic Development and applications for funding of £20,000 and over should be delegated to the respective Area Committees".

After due consideration, the Committee **agreed:-**

- (1) To approve the creation of the Property Investment Fund;
- (2) To recommend to the Policy and Resources Committee that it approves the allocation of £400,000 from the Regeneration and Priority Town Centre Reserve for the purposes of the Property Investment Fund;
- (3) To approve the proposed criteria and management of the Property Investment Fund as outlined in Appendix 1 to the report; and
- (4) To amend the wording in Paragraph 3.1 of Appendix 1 last sentence "Applications for funding of up to £20,000 should be delegated to the Head of Economic Development and applications for funding of £20,000 and over should be delegated to the respective Area Committees".

16. ACSEF: FINAL PROGRESS REPORT

With reference to the Minute of the Infrastructure Services Committee of 25 June, 2015 (Item 11, Page 281) there had been circulated a report dated 17 December, 2015 by the Director of Infrastructure Services which provided the Committee with an update on the progress of the Aberdeen City and Shire Economic Forum (ACSEF) since the last report. The report sought to make the Committee aware of a new partnership Opportunity North East (ONE) which had replaced ACSEF and which had been established by the private sector to identify opportunities and projects for investment within four key sectors which were fundamental to the economy of Aberdeenshire (oil and gas, food, drink and agriculture; life sciences and tourism).

The Director of Infrastructure Services introduced the report and advised the Committee that the ACSEF Board had agreed to disband the forum at their board meeting of 29 October, 2015 and the management team were facilitating the final transition to ONE and identifying alternative arrangements for any projects which could not be taken up by ONE.

The Committee welcomed the report and noted that Councillor Richard Thomson had been nominated to be the Council's representative on the ONE Board but also queried whether there was a second nomination. The Director advised the Committee that there would be a Board meeting next week and that matter would be considered.

After due consideration, the Committee **agreed:-**

- (1) That they had considered the actions taken by Aberdeen City and Shire Economic Future (ACSEF) and noted the discussion of Board meetings;

- (2) To note that the progress report would be the last report on ACSEF and that alternatively there would be a six monthly update on the activities of the private/public body Opportunity North East; and
- (3) To request that six monthly reports would continue to be provided on the progress of Energetica to the Infrastructure Services Committee.

17. REVIEW OF EUROPEAN PARTNERSHIPS

There had been circulated a report dated 10 December, 2015 by the Director of Infrastructure Services which considered a number of external European Partnerships which the Council currently participates in and asked the Committee to consider to review of the membership of each of those partnerships and evaluate whether there was value for the continued involvement in those partnerships.

The report advised that the European partnerships being considered were the Conference of Peripheral Maritime Regions (CPMR), North Sea Commission (NSC), East of Scotland European Consortium (ESEC) and the Local Authorities International Environmental Organisation (KIMO) and Appendix 1 to the report provided an overview of the costs and benefits of each partnership.

The Director of Infrastructure Services introduced the report and advised the Committee that the report recommended continued involvement with CPMR, NSC and KIMO as there were opportunities to influence policies at a European level but to withdraw from ESEC due to budget constraints while recognising that the Convention of Scottish Local Authorities (COSLA) and Scottish Local Authorities Economic Development (SLAED) were able to provide similar services.

After due consideration, the Committee **agreed:-**

- (1) That they had considered the review of European Partnerships;
- (2) That Aberdeenshire Council should remain a member of the Conference of Peripheral Maritime Regions (CPMR), the North Sea Commission (NSC) and the Local Authorities International Environmental Organisation (KIMO); and
- (3) That Aberdeenshire Council should withdraw from the East of Scotland European Consortium and give notice to that organisation.

18. OFFSHORE TECHNOLOGY CONFERENCE AND OFFSHORE NORTHERN SEAS – COUNCILLOR ATTENDANCE AND EXHIBITION EXPENDITURE

There had been circulated a report dated 9 December, 2015 by the Director of Infrastructure Services which sought the Committee's consideration of elected member attendance at the Offshore Technology Conference in Houston, America in May 2016 and the Offshore Northern Seas Festival in Stavanger, Norway in August 2016. The report also sought the endorsement of the estimated expenditure to a maximum of £15,000 for stand space at Offshore Northern Seas and £25,000 for a pavilion at the Offshore Northern Seas Festival in August 2016 which would be subject to budget approval.

The Director introduced the report and advised the Committee that the Offshore Technology Conference and the Offshore Northern Seas Festival were annual events and as the energy sector remained of significant importance Aberdeenshire's economy it was a good way to promote Aberdeenshire as a business location and to support local businesses who would be exhibiting.

After due consideration Councillor Smith, seconded by Councillor Merson moved:-

That the Committee should nominate Councillor Martin Kitts-Hayes to attend the Offshore Technology Conference in Houston America in May 2016 and Councillor David Aitchison to attend the Offshore Northern Seas Festival in Stavanger Norway in August 2016; and

The Committee should endorse the estimated expenditure to a maximum of £15,000 for stand space at Offshore Northern Seas and £25,000 for a pavilion at the Offshore Northern Seas Festival in August 2016, subject to budget approval.

As an amendment, Councillor Argyle, seconded by Councillor Mollison moved:-

That the Committee do not send an elected member to attend the Offshore Technology Conference in Houston America in May 2016 and nominate Councillor David Aitchison to attend the Offshore Northern Seas in Stavanger Norway in August 2016; and

The Committee should endorse the estimated expenditure to a maximum of £15,000 for stand space at Offshore Northern Seas and £25,000 for a pavilion at the Offshore Northern Seas Festival in August 2016, subject to budget approval.

The members of the Committee voted:-

for the motion	(6)	Councillors Aitchison, Christie, Clark, Merson, Smith and Stuart
for the amendment	(5)	Councillors Argyle, Gardiner, Latham, Mollison and Roy
absent from the vote	(3)	Councillor Agnew, Cox and Nelson

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

- (1) to nominate Councillor Martin Kitts-Hayes to attend the Offshore Technology Conference in Houston, America in May 2016 and nominate Councillor David Aitchison to attend the Offshore Northern Seas in Stavanger, Norway in August 2016; and
- (2) to endorse the estimated expenditure to a maximum of £15,000 for stand space at Offshore Northern Seas and £25,000 for a pavilion at the Offshore Northern Seas Festival in August 2016, subject to budget approval.

BUSINESS SERVICES

19. REVIEW OF THE PUBLIC CONVENIENCE STRATEGY

With reference to the Minute of the Meeting of the Policy and Resources Committee of 18 September, 2008 (Item 16, Page 980) and the subsequent Minute of the Meeting of the Infrastructure Services Committee of 17 March, 2011 (Item 24, Page 1603), there had been circulated a report dated 15 October, 2015 by the Director of Business Services which presented to the Committee a Review of the Public Convenience Strategy for Aberdeenshire as presented in Appendix 1 to the report.

The report presented to the Committee the general approach to the Strategy and the financial impacts of those proposals which it was accepted would realise significant savings for the Council.

The Facilities Manager introduced the report and advised the Committee that Area Committees had been consulted on the proposals arising from the Strategy Review and

Officers would carefully consider those comments and discuss opportunities for communities to take over existing facilities paying due regard to the careful selection of comfort partnerships.

During discussion the Committee welcomed the report and noted that the strategy would be of great public interest and as such there would have to be meaningful engagement within communities and community councils. The Committee also sought assurance that as part of the careful selection of Comfort Partnerships that those partnerships were sustainable.

After due consideration, the Committee **agreed:-**

- (1) To approve the Public Convenience Strategy as presented in Appendix 1 to the report;
- (2) To authorise the reduction in attended hours at Public Conveniences to 2 hours per day to allow for cleaning only;
- (3) To authorise the amendment of public convenience opening hours to 08.00 to 20.00 hours from April – September and 08.00 to 18.00 hours from October to March for all Council sites;
- (4) To authorise the closure of 9 low use and or poor condition public conveniences as identified in Table 5, Appendix 1 to the report (Page 17);
- (5) To authorise the closure of unattended public convenience in New Pitsligo where there was already a Comfort Partnership in place;
- (6) To agree the refurbishment of the unattended public conveniences at Main Street, Laurencekirk and The Square, Mintlaw to be included in a future Capital Works programme;
- (7) To agree to the wider promotion of Comfort Partnerships which should be sustainable and encouragement for local communities to manage facilities; and
- (8) To agree that while it is the general intention to declare all existing closed toilets as surplus to requirements, discussions would be held with appropriate Area Committees in the first instance.

20. UPDATE ON INDUSTRIAL DEVELOPMENT

There had been circulated a report dated January, 2016 by the Director of Business Services which provided the Committee with the background to the Estates Development Strategy 2013 – 2108 and which identified the Council's approach to Industrial Development activity in Aberdeenshire and other information on Commercial Properties.

The Estates Manager introduced the report and advised the Committee that report had been presented to each of the Area Committees and Appendix 1 to the report presented comments raised by Area Committees and Officers' responses to each of the issues raised.

The Committee welcomed the report and acknowledged the importance of each of the Area Committees being able to contribute to that process. The Committee also highlighted the need for the development of sites within the Energetica corridor which should be a priority as part of the overall strategy.

After due consideration, the Committee **agreed:-**

- (1) To endorse the current position in relation to Aberdeenshire Council's approach to Industrial Development.

ITEM FOR NOTING

- (a) Draft Minute of the Strategic Development Planning Authority Meeting of 2 December, 2015 (Appendix A).

APPENDIX A**STRATEGIC DEVELOPMENT PLANNING AUTHORITY****WOODHILL HOUSE, ABERDEEN****WEDNESDAY 2 DECEMBER, 2015**

Present:- Councillors P J Argyle, Chairperson, D R Aitchison, P W Bellarby, J Corall, J B Cox, A Finlayson, A Graham (Substituting for Cllr R Milne), R Grant, S W Pratt (Substituting for Cllr B A Topping), N J Smith, R Thomson and I Yuill.

Apologies:- Councillors R Milne (Vice Chair) and B A Topping.

Officers:- **Strategic Development Planning Authority:** Strategic Development Plan Manager
Aberdeen City Council: Planning and Environment Policy Manager
Aberdeenshire Council: Head of Planning and Building Standards, Accountant (R Taylor) and Committee Officer (F Brown).

1. DECLARATION OF MEMBERS' INTEREST

No declarations of interest were intimated.

2. NOTICE OF MOTION

The Authority had before them a signed Notice of Motion from Councillor Aitchison which sought:-

- (1) That the current Chair of the Strategic Development Planning Authority (SDPA) be removed from his position; and
- (2) In the event of the first part of the motion being carried, that Councillor David Aitchison be appointed as the new Chair of SDPA

The Chair invited Councillor Aitchison to speak to the Notice of Motion and at that juncture Councillor Aitchison withdrew part (2) to the Notice of Motion.

Thereafter Councillor Aitchison, seconded by Councillor Pratt moved:-

That the current Chair of the SDPA be removed from his position.

As an amendment, Councillor Bellarby, seconded by Councillor Smith moved:-

That the current Chair of SDPA should not be removed from his position.

The Authority then voted:-

for the motion	(4)	Councillors Aitchison, Corall, Cox and Pratt
for the amendment	(7)	Councillors Argyle, Bellarby, Finlayson, Grant, Smith, Thomson and Yuill
declined to vote	(1)	Councillor Graham

The **amendment was carried** and the Authority **agreed** that the current Chair of the SDPA should not be removed from his position.

3. MINUTE OF PREVIOUS MEETING 23 SEPTEMBER, 2015

The Authority had before them the minute of the previous meeting of 23 September, 2015.

- (i) With reference to Article 6 of the previous minute, the Strategic Development Plan Manager provided the Authority with an update on the legal challenge which had been lodged by Elsie Development Company Ltd. It was reported that the procedural hearing had taken place on 24 November, 2015 and it had been agreed that the case should be referred to the Court of Session and a hearing had been scheduled to take place from 9-11 March, 2016 in front of three judges.

The Authority resolved:

- (i) To approve the minute as a correct record; and
- (ii) To note the verbal update for Item 6 of the minute.

4. INDEPENDENT REVIEW OF PLANNING

The Authority had before them a report which sought agreement for a response to the formal call for evidence issued by the Review Panel which had been setup by Scottish Ministers and which sought to collate evidence for an Independent Review of Planning as presented in Appendix 4 to the report.

The Strategic Development Plan Manager introduced the report and advised the Authority that the closing date for responses was 1 December, 2015, however, agreement had been reached that the response by the SDPA would be submitted on 2 December, 2015 to allow any comments from the SDPA to be included in that response. It was reported that the word count for responses was limited to 1500 words which would mean that the response should be concise and brief. The next step in the process would be evidence sessions which would be undertaken on 25 January, 2016 (by invitation only) and the Panel would then report their recommendation to Scottish Ministers in February/March 2016.

During discussion the Authority highlighted that the review exercise should not be about slowing up the planning process however, neighbourhood notification was a huge issue in terms of community engagement and the big challenge would be to get people involved at the Main Issues stage.

The report recommended that the Authority:-

- (i) Agree that the SDPA agree the draft response to the call for evidence as set out in Appendix 4 to the report and advise the Chair, Vice Chair or the Strategic Development Plan Manager to speak to that response if called to give evidence in January.

The Authority resolved:

To agree the draft response to the call for evidence as set out in Appendix 4 to the report, subject to:-

- (i) A request that the Reporter's Unit should be within the remit of the independent review of planning, highlighting the importance of local decision-making; and
- (ii) A sentence added to highlight the potential for a rolling infrastructure fund to front-fund the provision of infrastructure, as well as the potential role of the City Deal mechanism.

5. SDPA BUDGET MONITORING POSITION AS AT 31 OCTOBER, 2015

The Authority had before them a report by the Treasurer to the SDPA which provided the Authority with the budget monitoring position for 2015/16 as at 31 October, 2015 as presented in Appendix 1 to the report.

The report informed the Authority that the costs of the Authority were broadly in line with the budget but with a detailed underspend being attributed to staff costs following the unsuccessful recruitment for the post of Senior Planner which it was reported had been vacant for the whole financial year.

The report recommended that the Authority:-

- (i) Note the budget monitoring position and outturn position as at 31 October, 2015.

The Authority resolved:-

To agree the recommendations as set out in the report.

6. SDPA BULLETIN – JUNE 2015

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

Details contained within the bulletin included:-

(1) Planning Advice for Housing and Infrastructure

It was reported that the new advice to improve planning and infrastructure would be published online in January, 2016 and officers would respond during the four week period to the technical consultation. A report would be brought back to the SDPA at their scheduled meeting in March, 2016 which would provide a final version of the guidance.

The SDPA requested that the Strategic Development Plan Manager notify the SDPA members when the consultation was published online

(2) Local Development Plans

The Planning and Environment Policy Manager advised the SDPA that Aberdeen City Council's Local Development Plan had been submitted for examination to Scottish Ministers and Stephen Hall had been appointed as the Reporter who would begin the examination on 14 December, 2015.

The Head of Planning and Building Standards advised the SDPA that the Aberdeenshire Local Development Plan had been agreed at the Infrastructure Services Committee on 28 November, 2015 and it had also now been sent to Scottish Ministers for examination.

(3) Planning Applications of Strategic Importance

- (i) Section 3.2 – It was reported that Aberdeenshire Council had approved a time extension to the permission previously granted to SHE Transmission for an extension to its electricity substation at Leylodge near Kintore.

- (ii) Section 3.3 – It was reported there was a slight error in the update. Aberdeen City Council had received a planning application for a new harbour at Nigg and a Proposal of Application Notice for an energy from waste facility at Altens.
- (iii) Section 3.6 – It was reported that an appeal had been lodged by Ross Development and Renewables against refusal by Aberdeenshire Council for a 400 home development south of the River Dee at Auchattie, Banchory and the target date for the outcome of that appeal was 10 December, 2015. It was further reported that the appeal had been withdrawn on Friday 27 November, 2015 and a new application for planning permission had been lodged for 300 houses.

The Authority resolved:

- (i) To note the content of the bulletin; and
- (ii) To request that the Strategic Development Plan Manager notify the Authority when the draft planning advice for housing and infrastructure was published by the Scottish Government in January, 2016.

7. DATE OF NEXT MEETING

The Authority noted that the next formal meeting of the SDPA would be held on Wednesday 23 March, 2016 at 2.00pm in Committee Room 2, Town House, Broad Street, Aberdeen.