

ABERDEENSHIRE COUNCIL

INFRASTRUCTURE SERVICES COMMITTEE

WOODHILL HOUSE, ABERDEEN, 1 JUNE, 2017

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

Apologies: Councillors Aitchison, Argyle, Blackett, Pike, and S Smith.

Officers: Director of Infrastructure Services, Head of Service (Planning and Building Standards), Head of Service (Transportation), Head of Service (Roads, Landscape and Waste Management), Head of Service (Economic Development and Protective Services), Head of Service (Lifelong Learning and Leisure), Service Manager (Facilities and Funding), Planning Manager, Service Manager (Business and Community Service), Chief Accountant, Legal Services Manager (Governance), Principal Solicitor (Democratic Services), (Senior Solicitor (M Ingram), Team Leader (Estates), and Committee Officer (J McRobbie).

1. DECLARATION OF MEMBERS' INTERESTS

In the absence of the Chair, Cllr Cox chaired the meeting. Cllr Cox asked if Members had any interests to declare in terms of the Councillors' Code of Conduct.

Councillor Cox declared an interest in Items 7 and 19, as a member of Banff Local Development Partnership, and in Item 13, as a member of Banff Harbour Advisory Committee

Councillor Cassie declared an interest in Item 10, as Chair of the local Regeneration Partnership, and in item 19 as a representative on the Harbours Staff Advisory Committee.

Cllr Evison declared an interest in item 8, as a previous representative to the Aberdeen City Region Deal Joint Committee.

Councillor Findlater declared an interest in Item 10, as a Friend of Macduff Aquarium, in item 20 as the co-author of the Member Promoted Issue, previous Chair of the Macduff Harbour Advisory Committee and a current member, and a previous member of the Macduff Harbour Steering Group.

Councillor Gifford declared an interest in Item 8, as a representative on the ONE Board and as a member of the Aberdeen City Region Deal Joint Committee.

Councillor Mollison declared an interest in Item 16, as a Director of Enterprise North East Trust.

Cllr Thomson declared an interest in Item 8, as a previous representative to the ONE Board and as current representative on the Aberdeen City Region Deal Joint Committee.

2. RESOLUTIONS

(A) PUBLIC SECTOR EQUALITY DUTY

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

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

B. EXEMPT INFORMATION

The Committee **agreed**, in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, to exclude the public from the meeting during consideration of the item 21 so as to avoid disclosure of exempt information of the classes described in paragraphs 8 and 9 of Part 1 of Schedule 7A of the Act.

3. MINUTES

(A) MINUTE OF MEETING OF INFRASTRUCTURE SERVICES COMMITTEE OF 16 MARCH, 2017

The Committee had before them, and **approved** as a correct record, the Minute of Meeting of 16 March, 2017.

PLANNING AND BUILDING STANDARDS

4. ERECTION OF 3 DWELLINGHOUSES AND GARAGES AT SITE ADJACENT TO WHITESIDE, NETHERLEY, STONEHAVEN – PERMISSION IN PRINCIPLE – REFERENCE APP/2017/0181 AND ERECTION OF DWELLINGHOUSE AND DETACHED GARAGE AT SITE ADJACENT TO WHITESIDE, NETHERLEY, STONEHAVEN – PERMISSION IN PRINCIPLE – REFERENCE APP/2017/0182

Having heard that a request to speak had been received, the Committee **agreed** to hear from:-

Michael Lorimer, Rydens, on behalf of the applicant.

With reference to the Minute of Meeting of the Kincardine & Mearns Area Committee of 25 April, 2017 (Items 13B and 13C, pages 8-11), there had been circulated a report dated 18 May, 2017 by the Director of Infrastructure Services, which requested (1) consideration of planning applications for permission in principle for the (a) the erection of 3 dwelling houses and garages at site at adjacent to Whiteside, Lairhillock, Netherley, Stonehaven (Application No. 2017/0181) and (b) the erection of a dwelling house and detached garage at site at Whiteside, Lairhillock, Netherley, Stonehaven (Application No. 2017/0182); (2) rehearsed the principal planning issues; and (3) advised of the positive recommendation from the Kincardine and Mearns Area Committee that the applications be granted in principle permission.

The Planning Manager introduced the report and outlined the details of the proposals. The Committee heard that in terms of policy, the site was deemed unacceptable in terms of Policy R2: Housing and Business Development elsewhere in the Countryside of the Aberdeenshire Local Development (2017) taking into account a recent approval of permission for the erection of three Dwellinghouses at the same location, and the proposals' impact on the character of the Landscape in terms of Policy E: Landscape of the Aberdeenshire Local Development Plan (2017). Although the applications had been received prior to the adoption of the Aberdeenshire Local Development Plan 2017, which had clarified the policies in respect of housing development within the countryside, and in particular the maximum plot sizes in terms of the definition of small scale development, the issue had previously been a material consideration in the determination of the applications. While Supplementary Planning Guidance supported developments in rural areas, she cited the existing approvals for four houses on site, suggesting that the additional permissions requested would be over development and partially outwith a brown-field site where small scale developments should be interpreted as up to three dwellinghouses. In addition, the Local Development Plan suggested that sites proposed for clusters of 8 Dwellinghouses should be subject to a development bid.

Councillor Johnston moved, seconded by Councillor Cassie, that consideration of the applications be **deferred** pending a site visit, to enable Members to be better advised of the landscape impact implications of the applications, one of the reasons for the officer recommendation of refusal.

Councillor Carr moved as an amendment, seconded by Councillor Agnew, that the applications be considered without need for a site visit.

On a division, there voted:

For the Motion: (6) Cllrs Cassie, Evison, Ingram, Johnston, Mollison, and Thomson.

For the Amendment: (8) Cllrs Agnew, Carr, Cox, Gifford, Findlater, Latham, Lonchay, and Withey.

The Amendment was therefore carried and the Committee **agreed** to determine the applications without recourse to a site visit.

The Committee then heard from Mr Michael Lorimer, Rydens, on behalf of the applicants. Mr Lorimer highlighted to Members the change in reason given for refusal between the application report considered by the Kincardine & Mearns Area Committee, removing reference to a plot size of 300m²; in spite of this, his client was happy that to progress a response to the application as submitted. He referred to the history of the site and a previous award of Planning Permission in Principle in 2016, considered acceptable in terms of rural housing and landscape policies. The applications before Committee for determination were seeking to remove disused properties, Nissan huts and a former Dutch barn, to complement the approvals already granted. The applications acknowledged redevelopment in the countryside policies of the 2017 Local Development Plan, but having been lodged before its publication, the policies of the 2012 Plan were material considerations. There were inconsistencies in the approach planning officers had taken to rural development; it was not a small scale development, but as in both Plans, the replacement of derelict units by up to three units. Using this calculation, he suggested the applications conformed and should not be refused.

Cllr Carr asked for Mr Lorimer's clarification on the urbanisation and detrimental impact on the landscape reasons suggested for refusal.

Mr Lorimer suggested that the Local Development Plan had changed in the period of the applications' consideration, with the 2012 Plan the primary policy consideration and the emerging 2017 Plan, adopted a few days before the area committee decision, a material consideration. In his opinion, the applications conformed to both plans. In respect of urbanisation, Scottish Natural Heritage's own determination of the Kincardine plateau, on which the site was located, was that it was not of particular landscape merit, being agricultural land interspersed with modern buildings. His client was committed to deliver high quality dwellings on the site and happy to conform to the suggested conditions of grant listed in paragraph 6.3 of the report.

Cllr Johnston asked if, interpreting policy to permit three buildings per brown field site or redundant building, was that understood to be per site, or per redundant building.

Mr Lorimer suggested that it depended on interpretation; that for smaller farm sites, with different numbers of buildings, each application should be determined on its own merits. On this site, he believed there was scope for more than three buildings on the site, and that permission for four had already been approved. This demonstrated that the interpretation of three had already not been adhered to; the option was for the redundant buildings on site to remain, or be replaced with sympathetic buildings.

Cllr Johnston asked when the appropriate number of buildings per site should be determined – at the beginning of each application, or as an iterative process.

Mr Lorimer replied that it was difficult to give a number but that he felt the application complied with policy, with three replacement dwellings proposed for the Nissan huts and an additional dwelling replacing the redundant Dutch barn.

Cllr Gifford questioned officers on the change in the wording of the reason for refusal between the area and the infrastructure services committee report and Members heard from the Planning Manager that the glossary of the Local Development Plan, when reported to the area committee shortly after the Plan's adoption gave a definition of small scale meaning no more than three replacement houses and not exceeding 350m² - this was an error – it should not have been 350m²; and the figure would be corrected in future reports on small scale developments.

There being no further questions, the Chair asked Mr Lorimer if he were content that he had had a fair hearing. Mr Lorimer agreed.

Cllr Carr **moved**, seconded by Cllr Agnew, that the Committee delegate the GRANT of Permission in Principle to the Head of Planning & Building Standards, for application APP/2017/0181 (a) for the reasons that: the application made a good use of redundant buildings which were not appropriate for modern farming use and there was a need to see housing stock improved; in terms of Policy 2, this was considered to be an improvement; that the elevated location would be mitigated by appropriate designs and finish, using local materials; that the scale of development proposed was appropriate to the size of the redundant farmstead which could accommodate the number of houses proposed; the application conformed with Policy Housing R2 and could be mitigated by design, given a degree of interpretation on scale; and (b) subject to (1) the conclusion of negotiations and Section 75 legal agreements regarding developer obligations and affordable housing, and (2) conditions to cover layout, siting, design, and materials: roads, car parking, and access; drainage; landscaping; and carbon neutrality.

Cllr Johnston moved as an **amendment**, seconded by Cllr Evison, that the Committee **REFUSE** Planning Permission in Principle for planning application reference APP/2017/0181 for the following reasons:

1. the proposal for three dwellinghouses would extend outwith the curtilage of the former farm buildings and previously accepted extent of the identified brownfield site. The principle of the development therefore fails to comply with Policy R2 Housing and employment development elsewhere in the countryside of the Aberdeenshire Local Development Plan 2017;
2. the proposal fails to meet the terms of 'small scale' development as defined within the Aberdeenshire Local Development Plan 2017 in terms of the subdivision of brownfield sites and would be considered to be overdevelopment of the site. The brownfield redevelopment opportunity for the site has already been met through previous consented development within the wider brownfield site. The proposal therefore fails to comply with Policy R2 Housing and employment development elsewhere in the countryside of the Aberdeenshire Local Development Plan 2017; and
3. by virtue of the scale and appearance of the proposed development in the location proposed it would, in combination with development already consented adjacent to the proposed site, lead to the urbanisation of a prominent hillside location thus having a significant detrimental impact on the local and wider rural landscape character at this location. The proposal therefore fails to comply with Policy E2 Landscape of the Aberdeenshire Local Development Plan 2017; and

On a division, there voted:

For the Motion (10) Cllrs Agnew, Carr, Cox, Findlater, Ingram, Latham, Lonchay, Mollison, Thomson, and Withey.

For the Amendment: (4) Cllrs Cassie, Evison, Gifford, and Johnston.

The Motion was therefore carried and the Committee **agreed** to Delegate the GRANT of Planning Permission in Principle for application APP/2017/0181 for the reasons and on the conditions as detailed in the Motion.

In respect of application APP/ 2017/0182, Cllr Carr **moved**, seconded by Cllr Agnew, that the Committee delegate the GRANT of permission in principle to the Head of Planning & Building Standards, for application APP/2017/0182 (a) for the reasons that: the application made a good use of redundant buildings which were not appropriate for modern farming use and there was a need to see housing stock improved; in terms of Policy 2, this was considered to be an improvement; that the elevated location would be mitigated by appropriate designs and finish, using local materials; that the scale of development proposed was appropriate to the size of the redundant farmstead which could accommodate the number of houses proposed; the application conformed with Policy Housing R2 and could be mitigated by design, given a degree of interpretation on scale; and (b) subject to (1) the conclusion of negotiations and Section 75 legal agreements regarding developer obligations and affordable housing, and (2) conditions to cover layout, siting, design, and materials: roads, car parking, and access; drainage; landscaping; and carbon neutrality.

Cllr Johnston moved as an amendment, seconded by Cllr Evison, that the Committee REFUSE Planning Permission in Principle for APP/2017/0182 for the following reasons:

1. the proposal for a single dwelling house would extend outwith the curtilage of the former farm buildings and previously accepted extent of the identified brownfield site. The principle of the development therefore fails to comply with Policy R2 Housing and employment development elsewhere in the countryside of the Aberdeenshire Local Development Plan 2017;
2. the proposal fails to meet the terms of 'small scale' development as defined within the Aberdeenshire Local Development Plan 2017 in terms of the subdivision of brownfield sites and would be considered to be overdevelopment of the site. The brownfield redevelopment opportunity for the site has already been met through previous

- consented development within the wider brownfield site. The proposal therefore fails to comply with Policy R2 Housing and employment development elsewhere in the countryside of the Aberdeenshire Local Development Plan 2017; and
3. by virtue of the scale and appearance of the proposed development in the location proposed it would, in combination with development already consented adjacent to the proposed site, lead to the urbanisation of a prominent hillside location thus having a significant detrimental impact on the local and wider rural landscape character at this location. The proposal therefore fails to comply with Policy E2 Landscape of the Aberdeenshire Local Development Plan 2017.

On a division, there voted:

For the Motion: (10) Cllrs Agnew, Carr, Cox, Findlater, Ingram, Latham, Lonchay, Mollison, and Withey.

For the Amendment: (4) Cllrs Cassie, Evison, Gifford, and Johnston.

The motion was therefore carried and the Committee **agreed** to DELEGATE the GRANT of Planning Permission in Principle for application APP/2017/0181 for the reasons, and on the conditions, as detailed in the Motion.

5. ERECTION OF 3 DWELLINGHOUSES AT STRIPESIDE, NETHERLEY, STONEHAVEN – PERMISSION IN PRINCIPLE – REFERENCE APP/2017/0248 AND ERECTION OF 2 DWELLINGHOUSES (ON SITE OF REDUNDANT BOTHY) AT BOTHY AT STRIPESIDE, NETHERLEY, STONEHAVEN – PERMISSION IN PRINCIPLE – REFERENCE APP/2017/0250

Having heard that a request to speak had been received, the Committee **agreed** to hear from:-

Michael Lorimer, Rydens, on behalf of the applicant.

With reference to the Minute of Meeting of the Kincardine & Mearns Area Committee of 25 April, 201, (Items 13D and 13E, pages 11-13), there had been circulated a report dated 18 May, 2017 by the Director of Infrastructure Services, which requested Members' consideration of planning permission in principle for application APP/2017/0248, for the erection of 3 dwellinghouses at Stripeside, Netherley, Stonehaven and APP/ 2017/0250 for the erection of 2 dwellinghouses (on site of redundant former bothy) at Bothy at Stripeside, Netherley, Stonehaven, recommended for refusal in terms of Policy R2 Housing and Employment proposals elsewhere in the countryside of the Aberdeenshire Local Development Plan 2017.

The Planning Manager introduced the report and outlined the details of the proposals. The Committee heard that in terms of policy, the applications were unacceptable in terms of Policy R2 Housing and Employment proposals elsewhere in the countryside; would have a detrimental impact on the character of the landscape in relation to policy E2: Landscape of the Aberdeenshire Local Development Plan (2017); issues relating to the principle of housing development within the countryside and impact on the surrounding landscape, in terms of the Aberdeenshire Local Plan 2012, the adopted Plan when the applications were submitted; and following the adoption of the 2017 Aberdeenshire Local Development Plan, Glossary definition of small scale development had clarified the reference to maximum plot sizes should no longer be restricted to a plot size of 350m², but could include housing proposals for up to three single houses. In regards to the site, nine Dwellinghouses had already been approved, with the three existing steadings converted to Dwellinghouses in accordance with brownfield policy. The first application site (APP/2017/0248) had an existing permission for the creation of two houses to replace former Nissan huts now removed from the site) and a third house which was not a replacement for any existing building or previously used land. The second application was for

the replacement of a previous very small bothy. It was felt that to approve the applications would be overdevelopment on both in terms of rural housing and the redevelopment of brownfield sites, allowing the urbanisation of the site by the creation of 12 detached Dwellinghouses; such a scale of development ought to be subject to a future bid to the Local Plan. Small scale development was up to three houses.

The new policy specified no subdivision of brownfield sites, and that any development should be considered as a comprehensive application not incremental development. In terms of non-conformity with Policies R2, Housing and Employment development elsewhere in the countryside, and E2: Landscape of the Aberdeenshire Local Plan 2017, the applications were recommended for refusal.

Cllr Latham asked if in terms of paragraph 6.18 of the report to the Kincardine & Mearns Area Committee of 25 April, 2017, the sub-division of the wider brownfield site could be considered a sub-urban layout in terms of the detailed application.

The Planning Manager advised that whilst the development already approved was in principle, the indicative layout seemed to include a cul de sac/ urbanised layout. Taken in the context of the adjacent development at Whiteside, this would mean a total of 20 houses in a rural application.

The Committee heard from Mr Lorimer, Rydens, on behalf of the applicant.

Mr Lorimer indicated his concern that the second reason for refusal again did not accurately reflect the previous report to the Kincardine & Mearns Committee, but that his applicant was content to proceed with the submission.

In respect of application APP/2017/0248, he indicated that the application was mainly the reconfiguration of layout for the three Dwellinghouses already approved, with the addition of a single Dwellinghouse, a nett gain of one.

In respect of application APP/2017/0250, Mr Lorimer indicated that no objections had been received, that the 2017 policy R2 allowed small scale development, which this was considered to be, and that the glossary definition of small scale would allow the creation of up to three units, so the application should not be refused.

For both applications, he cited Scottish Natural Heritage's assessment that the landscape was of no particular merit.

Cllr Carr pursued the concept of overdevelopment of the site and the officers' classification of urbanisation and visual impact.

Mr Lorimer suggested that the majority of the application content having previously been approved, the road layout and turning area were already approved and that he did not consider this a cul de sac; the two units at the former bothy were to complete the development, the rest was a reconfiguration of Dwellinghouses previously approved in 2016, so this could not be considered over-development.

Cllr Carr asked officers if there had been any feedback from the Education & Children's Service on possible impact on school rolls and educational provision.

The Planning Manager reported that there had not been consultation with the service as the site was brownfield and small scale developments tended not to impact on education rolls. Cllr Agnew sought clarification about the bothy site and the Committee heard from the Planning Manager that there was no information on how, or when, the bothy had been used.

There being no further questions, the Chair asked Mr Lorimer if he were content that he had had a fair hearing. Mr Lorimer agreed.

In respect of planning application APP/2017/0248, Cllr Carr **moved**, seconded by Cllr Agnew, delegate the GRANT of Permission in Principle to the Head of Planning & Building Standards, (a) for the reasons that the additional dwellinghouses complied with Policy R2 Housing and employment development elsewhere in the countryside as the policy was more flexible in the Aberdeenshire Local Development Plan 2017; the proposal was considered to be an appropriate reuse of a brownfield site which was considered to be untidy; and it was considered to be the right decision for development at this site; and (b) subject to (1) the conclusion of negotiations and Section 75 legal agreements regarding developer obligations and affordable housing, and (2) conditions to cover layout, siting, design, and materials: roads, car parking, and access; drainage; landscaping; and carbon neutrality.

Cllr Johnston moved as an amendment, seconded by Cllr Evison, that the application be REFUSED for the following reasons:

1. the proposal for three dwellinghouses would extend outwith the curtilage of the former farm buildings and previously accepted extent of the identified brownfield site. The principle of the development therefore fails to comply with Policy R2 Housing and employment development elsewhere in the countryside of the Aberdeenshire Local Development Plan 2017;
2. that the proposal fails to meet the terms of 'small scale' development as defined within the Aberdeenshire Local Development Plan 2017 in terms of the subdivision of brownfield sites and would be considered to be overdevelopment of the site. The brownfield redevelopment opportunity for the site has already been met through previous consented development within the wider brownfield site. The proposal therefore fails to comply with Aberdeenshire Local Development Plan 2017 Policy R2 Housing and employment development elsewhere in the countryside; and
3. the proposed development would have a significant visual impact on a relatively flat and open landscape area as further development in this location would create a suburban cul-de-sac appearance in relation to existing development in a countryside location which would not be considered appropriate. Development on the site has incrementally increased over time and this development would further erode the rural landscape character at this location. The proposal therefore fails to comply with Policy E2 Landscape of the Aberdeenshire Local Development Plan 2017.

On a division, there voted:

For the Motion: (9) Cllrs Agnew, Carr, Cox, Findlater, Ingram, Lonchay, Mollison, Thomson and Withey.

For the Amendment: (5) Cllrs Cassie, Evison, Gifford, Johnston, and Latham.

The motion was therefore carried and the Committee **agreed** to DELEGATE the GRANT of Planning Permission in Principle for application APP/2017/0248 for the reasons, and on the conditions, as detailed in the Motion.

In respect of application APP/2017/0250, Cllr Carr **moved**, seconded by Cllr Agnew, to delegate the GRANT of Permission in Principle to the Head of Planning & Building Standards, (a) for the reasons that: the application complied with Policy R2 Housing and employment development elsewhere in the countryside as the policy was more flexible in the Aberdeenshire Local Development Plan 2017; the proposal was considered to be an appropriate reuse of a brownfield site which was considered to be untidy and it was considered to be the right decision for development at this site; that the redundant site was large, capable of accommodating the proposal; and was also an opportunity that would benefit the area; and

that there were also no objections; and (b) subject to (1) the conclusion of negotiations and Section 75 legal agreements regarding developer obligations and affordable housing, and (2) conditions to cover layout, siting, design, and materials: roads, car parking, and access; drainage; landscaping; and carbon neutrality.

Cllr Johnston **moved** as an amendment, seconded by Cllr Evison, that the Committee REFUSE Planning Permission in Principle for the following reasons:

1. the proposal for two dwellinghouses would extend outwith the curtilage of the former farm buildings and previously accepted extent of the identified brownfield site. The principle of the development therefore fails to comply with Policy R2 Housing and employment development elsewhere in the countryside of the Aberdeenshire Local Development Plan 2017;
2. the proposal fails to meet the terms of 'small scale' development as defined within the Aberdeenshire Local Development Plan 2017 in terms of the subdivision of brownfield sites and would be considered to be overdevelopment of the site. The brownfield redevelopment opportunity for the site has already been met through previous consented development within the wider brownfield site. The proposal therefore fails to comply with Aberdeenshire Local Development Plan 2017 Policy R2 Housing and employment development elsewhere in the countryside; and
3. the proposed development would have a significant visual impact on a relatively flat and open landscape area as further development in this location would create a suburban cul-de-sac appearance in relation to existing development in a countryside location which would not be considered appropriate. Development on the site has incrementally increased over time and this development would further erode the rural landscape character at this location. The proposal therefore fails to comply with Policy E2 Landscape of the Aberdeenshire Local Development Plan 2017.

On a division, there voted:

For the Motion: (9) Cllrs Agnew, Carr, Cox, Findlater, Ingram, Lonchay, Mollison, Thomson, and Withey.

For the Amendment: (5) Cllrs Cassie, Evison, Gifford, and Johnston.

The Motion was therefore carried and the Committee **agreed** to DELEGATE THE GRANT of Planning Permission in Principle for the reasons, and on the conditions, as detailed in the Motion.

GENERAL

6. NOMINATIONS TO OUTSIDE BODIES AND PARTNERSHIPS

There had been circulated a report dated 23 May, 2017 by the Director of Business Services, recommending the appointment of Members to outside bodies. After discussion, the Committee **agreed** the appointments to outside bodies and partnerships as detailed below:

1	Aberdeen International Airport Consultative Committee	Observer	3	Cllrs G Blackett, C Clark and J Cox
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2	Aberdeenshire Environmental Forum	Observer	2	Cllr I Davidson Cllr L Wilson
3	Aberdeenshire Local Outdoor Access Forum	Observer	1	Cllr V Harper Substitute to be confirmed
4	Enterprise North East Trust (Elevator UK)	Decision Making	2	Cllr C Clark Cllr J Ingram
5	Moray Firth Partnership Management Group	Observer	1	Cllr H Partridge
6	North East Scotland Preservation Trust	Decision Making	2	Cllr G Reynolds* Cllr R Withey
7	North Sea Commission	Decision Making	2	Cllr P Argyle Cllr A Stirling
8	North Sea Commission Thematic Groups a) Attractive and Sustainable Communities b) Climate Change Working Group c) Managing Maritime Space d) Transport Working Group	Decision Making	1 per group	a) Cllr I Walker b) Cllr I Davidson c) to be confirmed d) Cllr D Lonchay
9	Aberdeen Renewable Energy Group (AREG)	1 plus 1 sub	No appointment	
10	Conference on Peripheral Maritime Regions (CPMR)	1	Cllr J Gifford	
12	Visit Aberdeenshire	1 plus 1 sub	Cllr W Howatson Cllr P Argyle (Substitute)	
13	KIMO (Kommunenes Internasjonale Miljøorganisasjon)	3	Cllr C Buchan Cllr M Findlater Cllr W Howatson	
14	Cairngorms National Park Authority Board	1	Cllr J Latham	

15	North East (NE Local Plan District)	1	Cllr P Argyle
16	Tay Estuary and Montrose Basin (TEAMB) LPD (Steering Group)	4	Cllr G Carr Cllr W Howatson Cllr L Wilson and one other to be confirmed
17	East Grampian Coastal Partnership	1 plus 1 sub	Cllr I Sutherland Cllr R Cassie (substitute)

7. APPOINTMENT TO INFRASTRUCTURE SERVICES SUB-COMMITTEES, WORKING GROUPS, AND INTER-AUTHORITY WORKING GROUPS

There had been circulated a report dated 3 May, 2017, by the Director of Business Services, seeking the appointment of Members to various Sub-Committees, Working Groups, and Inter-authority Working Groups.

The Committee **agreed** the appointments to Sub-Committees, Working Groups, and Inter-authority Working Groups as detailed below:

1. **Planning and Building Standards Member / Officer Working Group**
Cllrs Aitchison, Argyle, Cox, Ford, Hood, Mollison, N Smith, and Robertson.
2. **Fisheries Working Group**
Cllrs Allan, C Buchan, Findlater, Kille, S Smith, Sutherland, and Johnston.
3. **Rural Affairs Working Group**
Cllrs M Buchan, Duncan, Harper, Howatson, Ingram, Simpson, Taylor, and Whyte
4. **North East Scotland Agriculture Advisory Group (NESAAG)**
Cllrs Duncan, Ingram, Howatson, Hutchison, Robertson, Taylor, and Whyte.
5. **North East Scotland Fisheries Development Partnership (NESFDP)**
Cllrs Beagrie, C Buchan, Cox, Kille, and Reynolds
6. **Waste Management Group**
Cllrs Argyle, Calder, Ewenson, Johnston, Kloppert, McKail, Mollison, and Roy.
7. **Penalty Notice Hearing Panel**
Chairs 3 Licensing Boards (to be confirmed)
Vice Chairs Licensing Boards as substitutes (to be confirmed).
8. **European Member/ Officer Working Group**
Blackett, Lonchay, and Stirling.
(Provost, Chair and Vice Chair of Infrastructure Services Committee, and Leader of the Council members by virtue of their office.)
9. **Joint Member Energy from Waste Members Engagement Group**
Cllrs Aitchison, Argyle and Roy.
10. **Local Development Partnerships – Fraserburgh, Peterhead, Banff, and Macduff**
Delegated to appropriate area committees to appoint.

8. INFRASTRUCTURE SERVICES SERVICE PLAN 2016 – 2019 AND DRAFT SERVICE PLAN 2017 – 2020

There had been circulated a report dated April, 2017 from the Director of Infrastructure Services (a) advising of progress on the actions in the Infrastructure Services service plan 2016- 2019 and (b) presenting the draft service plan 2017- 2020 for consideration. Having heard from the Director of Infrastructure Services that the draft plan 2017 – 2020 would require to be updated to reflect the new council priorities, there was discussion of the regeneration agenda, planned response to BREXIT, Aberdeen Harbour renewal, Energetica, the Economic Development Action Plan 2017/2021, energy from waste versus recycling, and the potential recycling of construction waste to fill potholes. The Committee:

Agreed:

- (1) to note the progress in actions on the Infrastructure Services Plan 2016- 2019, as detailed in Appendix 1 to the report;
- (2) to approve the draft service plan 2017/ 2020, as detailed in Appendix 2 to the report, and note that an update report and plan will be submitted for consideration in Autumn, 2017;
- (3) that the Director of Infrastructure Services continue to report six monthly progress updates on all aspects of the serviced plan delivery;
- (4) that updates reports on (a) Regeneration; and (b) the possible implications (positive and negative) of Brexit come to Committee in due course;
- (5) to note continued commitment to the City Region Deal, (and in particular, proposals for Aberdeen Harbour) and the Energetica project;
- (6) that Officers consider a mechanism for reporting back on (a) the City Region Deal Joint Committee's work and (b) Climate Change; and
- (7) to reaffirmation a proactive approach to support for businesses.

Cllr Johnston, as the mover of an un-seconded amendment, requested that his dissent, from supporting the energy from waste project's progression, be recorded.

9. FINANCIAL MONITORING FOR THE YEAR ENDED 31 MARCH 2017

There had been circulated and was **noted** a report dated 18 May, 2017 by the Director of Infrastructure Services (a) reporting on the revenue and capital budget monitoring for the year ended 31 March, 2017 and (b) indicating revenue budget adjustments which would be reported to Full Council in due course for approval.

10. MACDUFF MARINE AQUARIUM – UPDATE

With reference to the Minute of Meeting of 17 March, 2017 (Item 11), there had been circulated a report by the Director of Education and Children's Services on the wider issues relating to ongoing support for the development of Macduff Marine Aquarium, including financial and business case matters. After discussion, and acknowledging the achievements of the Aquarium in tourism and its role as an important economic asset for Macduff and its hinterlands, the Committee:

Agreed:

- (1) to note the achievements of the aquarium; and
- (2) that officers report further on the new business case arising from the recent feasibility study on the aquarium.

TRANSPORTATION

11. SCOTTISH TRANSPORT AWARDS 2017

There had been circulated a report dated 6 April, 2017 by the Director of Infrastructure Services, advising Members of the Council's Infrastructure Services being short-listed in three categories in the 2017 Scottish Transport Awards 2017; providing details of the submissions, in the categories, Scottish Transport Local Authority of the Year, Excellence in Technology and Innovation (for the street lighting upgrade programme), and Transport Team/Partnership of the Year (for GrassHOPPER SmartTicketing, in partnership with Aberdeen City Council, Stagecoach, First, and Bain's Coaches); and requesting approval for the attendance of two Councillors at the Glasgow Awards ceremony on 15 June, 2017.

The Committee **agreed**:

- (1) to approve the attendance of Cllr Peter Argyle and a representative opposition councillor at the Scottish Transport Awards on 16 June, 2017;
- (2) to commend staff on their successes in being shortlisted for award in 2017; and
- (3) to note that two officers would also attend the award ceremony.

12. CONSULTATION ON IMPROVING PARKING IN SCOTLAND

There had been circulated a report dated 4 May, 2017 by the Director of Infrastructure Services requesting Members' consideration of a draft submission to the Scottish Government consultation, "Improving Parking in Scotland". After discussion of the legislative requirements for parking enforcement, the impact of centralisation of Police Scotland, comparisons with other authorities such as Fife, Perth & Kinross, and Highland on their approach, Cllr Gifford **moved**, seconded by Cllr Cox, that the submission be approved as per the recommendation, with proof reading corrections as suggested by the officers, with additional comment in Question 6, regarding exemptions to pavement parking, suggesting a minimum four foot passage.

Cllr Johnston moved as an **amendment**, seconded by Cllr Thomson, that the submission be amended in respect of Questions 17 (Are you supportive of local authorities' trialling or introducing parking incentives (such as discounted, free, or preferential parking) for ULEVs?), and Question 18 (Are you supportive of local authorities trialling or introducing specific measures to help people who live in flats or tenements (with no dedicated off-street parking) charge their vehicles,) to allow local authorities to enter into local trials.

On a division, there voted:

For the Motion: (10) Cllrs Agnew, Carr, Cox, Findlater, Gifford, Ingram, Latham, Lonchay, Mollison, and Withey.

For the Amendment: (4) Cllrs Cassie, Evison, Johnston, and Thomson.

The Motion was therefore carried and the Committee **agreed** the amended submission as detailed in the Motion.

It was further **agreed** to delegate final approval of the submission to the Chair and Vice-Chair of the Committee, and the Opposition spokesperson, in order that additional comments by Members might be considered.

13. PROGRAMME FOR WALKING, CYCLING, AND SAFETY INITIATIVES

There had been circulated a report dated 5 May, 2017 by the Director of Infrastructure Services requesting Members' consideration of a programme of works for walking, cycling and safety initiatives, funded from the Capital Plan, the Scottish Government's Cycling, Walking and Safer Streets (CWSS) funding, Revenue budget Active Travel, NESTRANS, match-funding from Transport Scotland's Community Links funding, Developer contributions, and Sustran's Safer Routes to School programme.

Having noted that the individual work programmes would be submitted to appropriate area committees for their consideration, the Committee **agreed:**

- (1) to welcome the initiatives detailed in the Walking, Cycling, and Safety Initiatives Programme;
- (2) to agree the works being presented for approval at area committees in June 2017;
- (3) to approve the Aberdeenshire-wide projects as detailed in the appendices to the report; and
- (4) that officers consider and report on (a) elderly access to walking opportunities and (b) the southern coastal paths networks.

ECONOMIC DEVELOPMENT AND PROTECTIVE SERVICES

14. ABERDEENSHIRE COUNCIL RESPONSE TO THE CONSULTATION ON A SCOTTISH ENERGY STRATEGY: THE FUTURE OF ENERGY IN SCOTLAND

There had been circulated a report dated 5 May, 2017 by the Director of Infrastructure Services, (a) requesting Members' consideration of draft responses to the Scottish Government's consultation, "Scottish Energy Strategy: The Future of Energy in Scotland"; "Energy Strategy – Scotland's Energy Efficiency Programme (SEEP); "onshore Wind Policy Statement"; and (b) including, for noting purposes, a response sent to the consultation, "Heat and Energy Efficiency Strategies, and Regulation of District Heating", provided to the Government on 18 April, 2017.

The Committee heard from the Head of Service, Economic Development and Protective Services, that the response to the Future of Energy in Scotland would be augmented to make stronger reference to Peterhead Power Station and its potential role in future energy provision and:

Agreed:-

- (1) to approve for submission, the responses as detailed in appendices 1 to 3 to the report; and
- (2) to note the response to the "Heat and Energy Efficiency Strategies, and Regulation of District Heating", as detailed in Appendix 4 to the report.

15. PROPOSALS FOR A NEW ABERDEENSHIRE SOCIAL ENTERPRISE FUND

There had been circulated a report dated 2 May, 2017 by the Director of Infrastructure Services Committee (a) reporting progress with third sector organisations to create an Aberdeenshire Social Enterprise Charter; (b) detailing a proposed spend profile for consultation on a proposed Aberdeenshire Social Enterprise Support Fund; and (c) proposing a consultation on the proposed content and implementation of the support fund, to be reported to Committee on 24 August, 2017.

After discussion, and having welcomed the proposed Charter and support fund, the Committee **agreed:-**

- (1) to note officers' progress to date, with third sector organisations, in creating an Aberdeenshire Social Enterprise Charter;
- (2) that officers use the allocated budget as detailed in Appendix 1 to the report, for consultation on the creation of an Aberdeenshire Social Enterprise Support Fund;
- (3) that the Head of Economic Development and Protective Services consult various bodies, detailed in section 2.4 of the report, on the content and implementation of an Aberdeenshire Social Enterprise Support Fund
- (4) to authorise the Director of Infrastructure Services, in consultation with the Chair and Vice Chair of the Committee and the Opposition Spokesperson, to implement the scheme after that consultation, and report back on the implementation process of the scheme and, in due course, its outcomes; and
- (5) thereafter to approve funding of up to £200,000, from reserves, to implement the fund.

16. FUNDS DISTRIBUTED AND PROPOSED CHANGES TO THE SUPPORT FOR ABERDEENSHIRE BUSINESS SCHEME AND BUSINESS GATEWAY ACTIVITY 2016-2017

There had been circulated a report dated 5 May, 2017 by the Director of Infrastructure Services (a) reporting the distribution of funds from the Support for Aberdeenshire Business Scheme, 2016- 17; (b) proposing changes to the scheme to re-introduce the First Employee Grant Scheme; and (c) requesting Members' consideration of the Business Gateway contract for 2016 -17, all as detailed in appendices to the report.

After discussion of the reporting mechanism for delivery of support via the Business Gateway contract, the Committee **agreed:-**

- (1) to note the 2016/17 distribution of Support for Aberdeenshire Business Scheme funds;
- (2) to welcome the reinstatement of the First Employee Grant Scheme;
- (3) to note the update on the Business Gateway delivery for 2016/17; and
- (4) that for future years' reporting, officers reconsider measures for meaningful outcome reporting.

17. USE OF DELEGATED AUTHORITY – ATTENDANCE AT CONFERENCE

There had been circulated a report dated 9 May, 2017 by the Director of Infrastructures Services, advising Members of his use of delegated powers, in terms of Part 2B, Section B of the Scheme of Governance, to approve the attendance of Cllr Charles Buchan, as Chair of the Aberdeenshire Fisheries Working Group, at the Inshore Fisheries Conference in Inverness on 27-28 April, 2017.

Having heard from Members of their appreciation for Cllr Buchan's timeous and informative report back on the conference business, the Committee **agreed** to note the use of delegated powers to authorise Cllr Buchan's attendance at the conference.

18. ATTENDANCE AT ROYAL HIGHLAND SHOW, JUNE 2017

There had been circulated a report dated 24 May, 2017, by the Director of Infrastructure Services, (a) seeking Members' approval for the attendance of the Provost at the 2017 Royal Highland Show, to be held at Ingliston, Edinburgh in June 2017 and (b) advising that the 2017 show was to have Aberdeenshire as its focus, with a theme of tourism and food.

Having heard further from the Head of Economic Development and Protective Services of the 2017 "Aberdeenshire Village" themed cluster, which would allow multiple firms and enterprises to be represented in a community, the Committee:

Agreed:-

- (1) to approve the attendance of Provost Howatson at the 2017 Royal Highland Show; and
- (2) that there be a report back on the event, including Elected Member contributions.

ROADS, LANDSCAPE SERVICES AND WASTE MANAGEMENT**19. STONEHAVEN FLOOD PREVENTION SCHEME – REPORTER'S RECOMMENDATIONS**

With reference to the Minute of Meeting of 28 January, 2017 (Item 4, page 1237), there had been circulated a report dated 17 May, 2017 by the Director of Infrastructure Services requesting Members' consideration of the proposed Stonehaven Flood Scheme, with modification, under the terms of the Flood Risk Management (Scotland) Act 2009 and the Flood Risk Management (Flood Protection Schemes, Potentially Vulnerable Areas and Local Plan Districts) (Scotland) Regulations 2010. The report rehearsed the findings of a Reporter's Hearing, held in Stonehaven 28-29 March, 2017, on the proposals.

The Committee **agreed** to formally confirm the proposed Stonehaven Flood Scheme, with modification, under the terms of the Flood Risk Management (Scotland) Act 2009 and the Flood Risk Management (Flood Protection Schemes, Potentially Vulnerable Areas and Local Plan Districts) (Scotland) Regulations 2010.

20. MACDUFF HARBOUR – MEMBER PROMOTED ISSUE

There had been circulated a report dated 23 May, 2017 by the Director of Infrastructure Services in response to a Member Promoted Issue, submitted jointly by Cllrs Ross Cassie and Mark Findlater, requesting the revisiting of the Macduff Harbour Review as its implementation, as planned, would be contrary to the spirit and direction of current, adopted policies, (namely the Macduff Harbour Master Plan and the Macduff Regeneration Plan) as adopted by the Committees on Aberdeenshire Council; and highlighting, in particular, issues relating to slipway management, the relaxation of fish landing legislation, and the governance, organisation, management, and operation of the Harbour. The report provided details of the harbour review, considered the review in the context of consistency with the Macduff Harbour Master Plan and the Macduff Regeneration Plan, focusing on (a) the review of the harbour management, policies, staffing and skills; (b) support for increased fish landings; and slipway management.

The Committee heard from the Director of Infrastructure Services of the process which would be followed to allow consideration of the issue, with the points made to be noted, but the ultimate operational decision remaining in his hands. There would be no answer at the meeting, but a formal response would be issued to both councillors and the public, in the next week.

Having heard that a request to speak had been received, the Committee **agreed** to hear from Mr Clark, both as an individual user of Macduff Harbour, and also as Chairman of the Macduff Branch of the Scottish Whitefish Producers' Association (SWFPA).

Mr Clark indicated that his concerns, and that of the Scottish Whitefish Producers' Association, related to primarily to issues of risk and safety and also to the potential blight of an economic development opportunity for Macduff and its hinterlands. He felt that the harbour's approach benefitted from onsite staff to assist vessels turning into the harbour channel across a swell, that CCT and increased police patrols were no substitute deterrent against an increased opportunity for crime at an unstaffed location, and that with recent relaxations in fish landing regulations, the harbour could have additional economic benefit to the area, if the night time landings could be supported. He reported the issue to be one of widespread local concern,

citing a local petition against the Harbour review being implemented on the grounds of safety and potential impact on blossoming economic opportunities associated with the harbour and its operations. Mr Clark spoke of independent Health and Safety advice received from an experienced advisor to fish related commercial activity which saw MacDuff as a dangerous port. If risk assessments had not been carried out following approved methodology, this was a breach of the Marine Code and a dereliction of the Council's duty as Harbour Board.

Questions were asked for Mr Clark on the potential for boats to anchor outside the harbour while the harbour was unstaffed; this was too dangerous, and previously post holders had come, in their own time, to support the landings; clarification was sought on the recent increase in revenue from increased fish landings at Macduff, which would allow additional income to the Council; the availability of other local ports which could more readily accept fish landings; the potential reinstatement of MacDuff as a designated port for landings of fish, in the light of recent changes in the cod recovery programme and legislation; and Mr Clark's background which allowed him to comment on the process from an informed position.

Thereafter the Committee heard from Cllrs Cassie and Findlater as joint authors of the Member Promoted Issue.

Cllr Cassie spoke of the challenges in accessing Macduff Harbour which necessitated quayside assistance in entering the harbour channel; the contradiction in repairs to the market if the port were not to be supported for fish landings; the aims of the Code in the safe management of harbours; the Council's responsibilities for harbour management, reflecting on members of the Infrastructure Services Committee both individually and collectively, as accountability could not be delegated to officers along with the operational responsibilities. He highlighted the increased risk which he believed were associated with implementation of the Harbour review, if it were to proceed and challenged Members on their appetite for risk.

Cllr Findlater spoke of the economic benefits beyond fish landing if the harbour review were not to be implemented, suggesting that the local Shipbuilding businesses, which would otherwise operate from other local ports, should be considered in the revival of the local fishing industry. The 2021 vision for the town pivoted on an active harbour with associated businesses and activity, as a one-stop shop. He hoped to see a harbour full, with tourists and visitors enjoying the port's activities. Cllr Findlater believed that to implement the Harbour review as it stood was counter-intuitive in the wider context of supporting the area's economic growth.

Questions were asked of the requirement for night-time access, relating to the landing of catch outside normal working hours, primarily due to night fishing of the specific species landed (including prawns and crabs) which were caught at night; the role of pleasure crafts as well as operational fishing boats in the harbour's vitality; and the role of the committee as harbour board, to consider be fully assured about any risk assessments on operations.

Officers responded to the issues raised on risk assessments, which they felt to be robust; the operational approach of not risk avoidance but risk awareness and the management of risk; the alternative delivery methods which were proposed to replace existing operational practices; the requirement, in a relaxed but not designated port, for landings to be advised with 24 hours' notice, which could allow for any staffing required to be actioned; consultation with Police Scotland about the perceived potential increase of crime; that not all users of the harbour required assistance in entering the port; and the status of the Harbour Master Plan in guiding operational decisions.

Thanking Mr Clark and Cllrs Cassie and Findlater for their input, and officers for their response, the Chair checked that Mr Clark was content that he had been fully heard. This being confirmed, the discussion was ended and the Committee **noted** that the comments made

would be considered by the Director of Infrastructure Services and his decision advised within 7 working days to Committee, interested parties and the public.

Arising out from the above discussion, the Committee further **agreed** that information on the Committee's roles and responsibilities, individually and corporately, as Harbour Board, be circulated to all Members.

BUSINESS SERVICES

21. PROJECT 18217: RELOCATION OF ELLON BULKING STATION – BALMACASSIE, ELLON – GATEWAY 1 REPORT

With reference to the Minutes of Meeting of the (a) Formartine Area Committee of 28 October, 2014 (Item 9, page 919) and (b) the Policy and Resources Committee of 13 November, 2014 (Item 29, page 1077), and 15 September, 2016 (Item 24, page 506), there had been circulated a report dated 4 May, 2017 by the Director of Business Services, providing an update on the legal agreement with Brewdog to purchase the former bulking station site at Balmacassie, Ellon, (b) reporting the project to replace the bulking station; and (c) indicating that a business case for Gateway Stage 2 of the project would require to be submitted to the Formartine Area Committee.

The Committee **agreed:-**

- (1) to note Brewdog's exercising of their purchase option for the former bulking station site, as approved by the Policy and Resources Committee of 15 September, 2016;
- (2) to note the proposed rebuild project for the relocated facility; and
- (3) the officers report a business case for Gateway Stage 2 of the project, for consideration by the Formartine Area Committee in due course.

ITEMS FOR NOTING

The Committee **noted:**

- (A)** The Minute of Meeting of the Rural Affairs Working Group of 7 December, 2016 (as detailed in Appendix A hereto);
- (B)** The Minute of Meeting of the Waste Management Group of 1 February, 2017, (as detailed in Appendix B hereto); and
- (C)** The Minute of Meeting of the Rural Affairs Working Group of 29 March, 2017 (as detailed in Appendix C hereto).

APPENDIX A

RURAL AFFAIRS WORKING GROUP

MIDDLETON OF RORA FARM, LONGSIDE, PETERHEAD

WEDNESDAY, 7 DECEMBER, 2016

Present: Councillors W Howatson (Chair), S Duncan, K Farquhar, A K Norrie, L Pirie, I Taylor (as substitute for P Oddie) and F McRae (as substitute for G Blackett).

Apologies: Councillors G Blackett, H Partridge and P Oddie.

Officers: D McDonald, Industry Support Executive (Rural and Maritime)
A Ziarkowska, Assistant Committee Officer.

Also attending: Willie Fergusson (Sector Manager, Food & Drink, Zero Waste Scotland)
Bruce Mackie (Host and Owner of the Middleton of Rora Farm)

1. DECLARATIONS OF MEMBERS' INTERESTS

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

2. PUBLIC SECTOR EQUALITY DUTY

In taking decisions on the undernoted items of business, the Working Group **agreed**, in terms of Section 149 of the Equality Act 2010 to:-

- (1) have due regard to the need to :-
 - (d) eliminate discrimination, harassment and victimisation,
 - (e) advance equality of opportunity between those who share a protected characteristic and persons who do not share it,
 - (f) foster good relations between those who share a protected characteristic and persons who do not share it, and
- (2) consider the contents of equality impact assessments, where provided, and to take those into account when reaching a decision.

3. MINUTE OF MEETING OF 18 MARCH, 2016

There had been circulated the minute of the meeting on 18 March, 2018 and amendments were noted. Thereafter, Members **agreed** to approve the minute.

4. MATTERS ARISING

There were no matters arising.

5. OVERVIEW OF DAIRY SECTOR BY BRUCE MACKIE, OWNER OF MIDDLETON OF RORA FARM

Mr Mackie provided the Working Group with an Overview presentation of the Dairy Industry in the Aberdeenshire area. Since the closure of the Muller Wiseman dairy processing plant in Tullos 8 months ago there had been a very significant gap in the local dairy supply chain. The

43 dairy farms which had previously supplied the Tullos factory were continuing to supply Muller Wiseman's factory in Bellshill, near Glasgow but the majority were now bearing a haulage cost of 1.75 pence per litre to transport the milk to Bellshill, putting local producers at a major competitive disadvantage, particularly when returns from milk production are currently very low. Mr Mackie indicated that local dairy producers are very concerned over the future prospects for the sector following the haulage charge precedent, necessitating the examination of alternative processing options to help secure the future of local dairy production. He highlighted the crucial role of technology and innovation in modern milk production and presented alternative options on adding value to the milk production, citing examples of successful, small to medium scale dairy brands elsewhere in the UK and overseas. Mr Mackie concluded that future strategy for dairy sector should focus on the food tourism and the market for local dairy products.

After the discussion, the Chair thanked Mr Mackie for the informative overview provided and for his hospitality and wished him good luck with his own added value project.

6. PRESENTATION: ADDRESSING THE ISSUE OF FOOD WASTE IN SCOTLAND BY WILLIE FERGUSSIN, SECTOR MANAGER, ZERO WASTE SCOTLAND.

The Chair invited Mr Willie Fergusson (Sector Manager, Food & Drink, Zero Waste Scotland) to provide the Working Group with the presentation on the Addressing the issue of Food Waste in Scotland. Mr Fergusson advised members about the Zero Waste Scotland strategy for tackling Food Waste in Scotland and outlined its main themes and goals. He introduced multiple definitions of Food Waste and discussed the sources and the estimated scale of Food Waste in the UK. He concluded with a summary of ZWS activities and initiatives undertaken in order to reduce Food Waste including Courtauld agreement 2025, Glasgow 'Circle Scan' – Beer to Bread project and the Circular Economy Investment Fund.

After consideration, members **agreed** to note the contents of his detailed and informative presentation, expressed thanks to him for travelling north from central Scotland to present it, and suggested Mr Fergusson be invited to the next meeting of NESAAAG.

7. BULLETIN REPORT: PROGRESS UPDATE ON RINGLINK INTERSHIP

There had been circulated a report dated 29 September 2016, by the Head of Economic Development, which provided members with an update on the Ringlink Internship Project. Derek McDonald advised that the agricultural internship project was developed in 2012 with financial support from the council to provide a structured introduction to a career in the land-based sector for young people. The programme ran successfully in 2013, 2014 and 2015. For the 2016 intake, twelve interns had commenced the Ringlink Internship programme in June with eleven of them on target to complete the six month course. SRUC became key project partners in 2015, and now host the three-week induction/training session at Craibstone. He advised that Ringlink is working closely with SRUC so that the internship is in future recognised as an officially accredited pre-apprenticeship programme, to enable it to access mainstream training funds, reduce the costs of delivery and accelerate the uptake of the internship model right across Scotland.

After consideration, it was **agreed** to note the content of the report.

8. BULLETIN REPORT: LAND-BASED LEARNER OF YEAR AWARDS

There had been circulated a report dated 29 September 2016, by the Head of Economic Development, which provided members with an update on the Land-Based Learner of the Year Awards (LBLOYA). Derek McDonald informed members about the forthcoming event organised by LANTRA to celebrate the progress and achievements of youngsters progressing their careers in the land-based sector in Scotland. He further advised that the 2017 ceremony

will take place in March 2017 in Dunblane Hydro Hotel, in Dunblane. He concluded by advising members that Aberdeenshire Council had sponsored one of the award categories at previous LBLOYA events and would do so again in 2017.

After consideration, it was **agreed** to note the information provided.

9. BULLETIN REPORT: FARM ADVISORY SERVICE

There had been circulated a report dated 29th November, 2016 by the Head of Economic Development, which provided members with an update on the Scottish Farm Advisory Service. Derek McDonald briefly explained that the new service was part of the EU and Scottish Government-funded Rural Development Programme and was launched with a view to provide information and access to resources to Scottish farmers to increase profitability and sustainability of their farms and crofts. He gave a short overview of the new Service and detailed its main features.

Thereafter, it was **agreed** to note the information provided and to consider this matter further at the next meeting of the Working Group.

10. ANY OTHER BUSINESS

Derek McDonald informed Members about the presentation on Digital Connectivity in Aberdeenshire given by Roddy Matheson (Service Manager - Industry Sectors, Aberdeenshire Council) during the last meeting of NESAAG.

It was **agreed** that Derek McDonald would circulate a brief note which included progress to-date via email.

11. DATE OF THE NEXT MEETING

It was **noted** that the next meeting of the Group was scheduled to take place on Wednesday, 15 March, 2017, at 10:00 a.m.

WASTE MANAGEMENT WORKING GROUP**WOODHILL HOUSE, ABERDEEN, 1 FEBRUARY, 2017**

Present: Councillors PJ Argyle (Chair), GJ Clark, AC Duncan, PK Johnston, R McKail, Cllr RJ Merson, CH Nelson, and Cllr M Roy.

Officers: Sue Horrobin, Waste Manager,
Andrew Sheridan, Team Manager (Collections and Cleansing),
Matt Davis, Support Leader Waste (Processing & Disposal),
Claire Loney, Waste Support Leader Collections and Cleansing (North), and
Jan McRobbie (Committee Officer).

1. DECLARATION OF MEMBERS' INTERESTS.

Members were asked if they had any interests to declare in terms of the Councillors' Code of Conduct.

No interests were declared.

2. PUBLIC SECTOR EQUALITY DUTY

In taking decisions on the undernoted 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 and opportunity between those who share a protected characteristic and persons who do not share it; and
 - (c) foster good relations between those who share a protected characteristic and persons who do not share it, and
- (2) to consider, where an equality impact assessment had been provided, its contents and to take those into consideration when reaching a decision.

3. MINUTE OF MEETING OF 11 NOVEMBER, 2016

There had been circulated the Minute of the Meeting of 11 November, 2016. Members **agreed** to approve the Minute.

4. ENERGY FROM WASTE PROJECT UPDATE

The Working Group heard from the Waste Manager of progress in the inter-authority proposed energy from waste (eFw) project. The second inter-authority agreement had been signed in October, 2016, with ongoing work to develop the procurement documents, a bidders' day held on 12 December with over 50 interested organisations. This event had included background presentations, and information on how to approach the pre-development process and a site tour. Positive feedback had been received. A Project Officer, based at Aberdeen City Council, had recently been appointed to coordinate the works. Progress could be followed on Twitter at @NESSnrgProject. The financial review had ended on 10 January, with no objections received, and work was being progressed to allow dialogue, between June and October, with four shortlisted bidders. The OJEV had been approved on 27 January and had been published today, with seven weeks allowed for response under the new process. To 30 March the team would be working on the detailed suite of project documents, including

background and baseline information, dialogue meeting format, creation of a portal, and an agreed schedule of dates. There would also be work on the specific requirements for bidders and the development of a website.

The project team recruitment was continuing, with interviews scheduled for early February, hoping for an appointment in March. In the interim, the first newsletter was expected to be issued by mid-February.

Members **noted** the update provided.

5. FUTURE COLLECTIONS STRATEGY

With reference to the Minute of Meeting of 3 October, 2016 (Item 8, page 914), there had been circulated a report dated 20 January, 2017 by the Director of Infrastructure Services, requesting Members' consideration of various issues for discussion on the development of a Future Collections Strategy, in terms of recycling/ waste collection, for Aberdeenshire.

The Committee heard from the Waste Manager, Team Manager (Collections and Cleansing), and Waste Support Leader Collections and Cleansing (North) of further work on waste modelling, intended to ensure that any collections service for the future should:

- Meet the national recycling targets;
- Reduce residual waste;
- Maximise the value out of the material collected, in line with principles of the Scottish Government's Circular Economy¹;
- Reduce Aberdeenshire's carbon footprint;
- Provide a universal and consistent service;
- Provide an easy to understand, and therefore easy to use, service;
- Make the best of resources by having efficient and cost effective routes and by using the best available technology; and
- Adhere to Health and Safety Requirements.

Members were advised that any future strategy would also require to consideration of waste stream going into the proposed Energy from Waste plant.

A short video overview of the current collection service was shown and Members' commended it as a useful tool to increase public awareness of the current processes, facilities, and equipment.

The issues for Member discussion were: (a) Targets; (b) Publicity; (c) glass collection; (d) household recycling centres; (e) how to retain/ improve the value of waste recycling; (f) Garden waste; and (g) Bin sizes and collection frequency.

(a) **Targets:** The Team Manager reported that recycling targets just met the national average (44%), sitting at 44.7% for 2016. There was a Scottish Government requirement to reach 69% by 2020, and 70% by 2025, and the Circular Economy target, subject to Brexit, of 70% by 2030.

- Had demonstrably been identified as improving where engagement took place with the public at the point of collection;
- Change was needed to meet targets;

¹ Published by the Scottish Government in February, 2016.
<http://www.gov.scot/Publications/2016/02/1761>

- Need for continuing education of public- their participation and understanding will meet the targets, not any unilateral action of the Council;
- Need to improve publicity of the existing system;
- Continue to target glass; although deemed by Scottish Government to be of little or no value, its weight has an impact on residual waste tonnages going to landfill;

(b) **Publicity** – Members heard of the success of a recent concentrated use of social media, with footfall up by 100% and an additional 469 Facebook users over the six week period of the campaign. Local newspapers had also carried articles on the run up to Christmas and community waste sessions held at local supermarkets and the Council offices at Buchan House, Gordon House, and Woodhill House. The waste (??) booklet had been updated and sample leaflets in a variety of different languages were being prepared. Over 320 additional recycling bins had been requested and supplied. A dedicated waste communications post was to be recruited. In addition, community waste officers were continuing to visit schools, area committees, community councils and other local groups to explain about the issues around waste.

- Potential “prize”/ reward for recycling – use as publicity/ education tool?
- Need to have users more aware of the consequences of poor recycling/ greater appreciation of implications (including cost implications) of using the wrong bin;
- Continue to target publicity on poorly performing areas/ demographic groups;
- Address misconception that “doesn’t matter which bin it goes in – Council have a comingled collection”;
- Commend the use of the overview video for general public awareness raising – suggest issue to Community Councils for as conduit in first instance;
- The need to recognise and use of Facebook as an expanding tool for publicity and public engagement, explaining services with more regular messages, greater frequency, and increased ability to respond quickly if needed;
- Continue to develop staff at operational levels as ambassadors for the service (noting that operational schedules, such as route scheduling, time of collection, etc., do not always allow for immediate interaction);
- Develop further ACORN grouping (social demographics) to target bespoke training;
- Consider potential to use students to go round with information with time to engage with potential customers;
- Consider wider use of existing community magazines/ church newsletters and the like to carry articles on waste and recycling, and recommend that Members advise the Waste team of any in their area of which they are aware;
- Increase education/ awareness through primary schools – most of the household waste arising comes from young families and children can be the best ambassadors/ domestic instructors; and
- Consider use of “Trashed²” to increase awareness.

(c) **Glass collection** – The Committee heard from officers of the slight reduction in glass recycling following the alteration to collections and of comparisons in recycling with Aberdeen City which collected glass as part of a mixed, dry, recycle bin. The main issues for discussion were; the pros and cons of separate collections; the potential benefits of moving to a mixed, dry recycle collection; and the return value of the glass. It was noted that the prices obtained for the different colours of glass no longer differed; all glass obtained a flat rate of £7 per tonne. The following comments were made:

²2012 Documentary with Jeremy Irons <http://www.finerminds.com/consciousness-awareness/trashed/>

- Glass does not contribute to the Circular Economy, and often ends as road aggregate only;
- The merit in persuading manufacturers to re-use, or multi-purpose apply glass usage;
- The need to maintain the current glass recycling points, including colour segregation to encourage inputs
- Continue to collect and analyse data on waste arisings as well as recycling rates; and
- Continue to examine how we collect, sizes of bins, and size of vehicles to maintain flexibility to meet any new or altered service requirements;
- Not keen to move to Mixed Dried Recyclates which may reduce the overall value of recyclables;

(d) Household recycling charter/ how to retain/ improve the value of waste recycling

–The Team Manager (Collections and Cleansing) spoke of the move from a linear economy to a circular economy, and the current values of Mixed Dry Recyclates. There was discussion of the point at which landfill costs met the costs of the various recycling and collection initiatives, and of income streams which might offset costs. The Committee heard of the Household Recycling Charter, to which 18 Scottish councils had already subscribed which was supported by the Scottish Government and Zero Waste Scotland. Part of subscription would require altering the collection service currently operated, potentially the provision of up to five bins, without a guaranteed increase in recycling collected. The following comments were made:

- Note still recycling value to be stripped out of existing collections before considering new/ additional collections;
- That a suite of bins was not appropriate for flatted accommodation and communal solutions inappropriate in some streetscapes, so separate collections might be difficult to support;
- Examine potential of using 2 x 240 litres bins; one for mixed dried Recyclates, one for residual municipal waste;
- Consider move to three weekly cycle of collections;
- Acknowledge that it would be hard to provide the same services across rural and urban areas;
- To note the logistic challenges in maximising the use of fleet across a range of processes and provisions;
- That concern be expressed that if Aberdeenshire did not willingly sign up to the Household Recycling Charter, that it may ultimately be forced upon us with less favourable terms.

(e) Garden waste – Officers advised that, across Scotland, garden waste was collected in all but 5 Council areas. It would be a popular service, would increase recycling levels but would also increase the overall tonnage. Should the Council consider introducing a collection service? After discussion, the following comments were made:

- Need should be minimised by maximising home composting and recycling;
- Consider bring to collection, including to communal collection points within communities, rather than individual house kerb side;
- Progress in parallel with reduced residual waste collections and use saved money/ resources to invest in green waste/ glass collections?
- Note could be source of useful material if anaerobic digestion run alongside composting of garden waste - greater value than separate identities;
- Consider potential of community composting enterprises;
- Potential to use “third week” of collection service for green waste, if progressed;

- Note that if introduced, it does not need to be provided directly by the Council – it is a service already commercially available; and
 - Potential charging as additional service for those wishing to use it.
- (f) **Bin sizes and collection frequency** – The Committee heard from Officers of the issues surrounding bin sizes and collection frequency, including recent negative press coverage of the potential to reduce frequency of collection. It was stressed that Aberdeenshire did offer a two-weekly collection, but with different strands of waste being collected on the alternate weeks. There was a challenge in extracting the recyclate which sometimes ended up in the residual waste bins, and debate as to whether people were defaulting to use this bin when their recycling bins were full, or through an unwillingness to recycle and officers reported that additional recycling bins were provided to households at no cost. A recent analysis of bins indicated that, for the majority of households, an 80l capacity bin would be adequate for residual waste. Recycling might be encouraged by either reducing the residual waste bin capacity, or reducing the frequency of collections. The following comments were made:
- Consideration should be given to reducing the size of the residual waste bins;
 - It would be too much to reduce both size and frequency of collection in a single change;
 - Frequency of collection remained a focus for public concern, so it might be better to reduce size and retain the weekly collections of the different strands;
 - Consideration should be given to broadening the applications of waste collection vehicles – if they are generally operating under capacity for a single waste stream, might this be adapted to different uses or multi-task flexibility?
 - Consider altering the focus of the weekly collections to different applications;
 - Be aware of payload implications if a move to smaller vehicles, albeit more suitable to urban application, were considered; and
 - Consider the interrelationship of different vehicle size and application of the weekly collections.

Arising from discussion of the above, and the learning from good practice elsewhere, it was **agreed** that officers provide Members with information on Nordic waste/recycling/ energy from waste

6. ANY OTHER BUSINESS

There were no additional items of business for consideration.

7. DATE OF NEXT MEETING

It was noted that the no further meetings of the Waste Management Working Group would be required before the May 2017 election.

The Chair thanked the councillors and officers for their support in making the Group effective in its deliberations. Cllr Nelson, on behalf of the Committee, commended Cllr Argyle on his chairing of the group.

There being no further business, the meeting closed.

APPENDIX C

**RURAL AFFAIRS WORKING GROUP
THE ROWETT INSTITUTE, FORESTERHILL, ABERDEEN
WEDNESDAY, 29 MARCH, 2017**

Present: Councillors W Howatson (Chair), I Davidson (as substitute for Cllr A N Norrie) S Duncan, and F McRae.

Apologies: Councillors H Partridge, L Pirie, and P Oddie.

Officers: D McDonald, Industry Support Executive (Rural and Maritime); and J McRobbie, Committee Officer.

2. DECLARATIONS OF MEMBERS' INTERESTS

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

2. PUBLIC SECTOR EQUALITY DUTY

In taking decisions on the undernoted items of business, the Working Group **agreed**, in terms of Section 149 of the Equality Act 2010 to:-

- (1) have due regard to the need to:-
 - (g) eliminate discrimination, harassment and victimisation,
 - (h) advance equality of opportunity between those who share a protected characteristic and persons who do not share it,
 - (i) foster good relations between those who share a protected characteristic and persons who do not share it, and
- (2) consider the contents of equality impact assessments, where provided, and to take those into account when reaching a decision.

3. MINUTE OF MEETING OF 7 DECEMBER, 2016

The Minute of Meeting of 7 December, 2016 was circulated and **approved** as a correct record.

4. MATTERS ARISING

There were no matters arising.

5. BULLETIN REPORT: SCOTTISH FARM ADVISORY SERVICE

With reference to the Minute of Meeting of 7 December, 2016, (Item 9), there had been circulated a report dated 21 March, 2017 by the Head of Economic Development giving updated details of the new Farm Advisory Service, (FAS) launched as a component of the Scottish Rural Development Programme 2015 – 2020. Co-funded by the Scottish Government and the EU, the contract to deliver the new service, valued at £20M, was to be delivered by Ricardo Energy and Environment and SAC Consulting, and was designed to provide information and access to resources to Scottish Farmers to increase the profitability and sustainability of their farms and crofts. "One to one" specialist business advice would be provided by Ricardo AEA whilst SAC Consulting would manage the "one to many" programme.

The report contained details of a presentation made to the North East Scotland Agricultural Advisory Group on 22 February, 2017 by Alister Laing of SAC Consulting. A large number of “one to many” business efficiency and improvement events had already been scheduled, to help generate early momentum for FAS, with a web calendar at <https://www.fas.scot/forthcoming-events/>

After discussion, the Working Group **agreed**:-

- (1) to commend the early work supporting the FAS scheme; and
- (2) that additional information be sought, and provided to Members, regarding the options being used to disseminate the FAS.

6. BREXIT AND SCOTTISH AGRICULTURE – ORAL UPDATE

There was tabled a presentation given by Jonnie Hall, Director of Policy and Members’ Services, NFU Scotland, of his personal assessment of the implications for Scottish agriculture of Brexit. This had been produced in advance of any NFU official consideration of the matter, but sought to identify some of the potential issues arising from the changing relationship with the EU, post-Brexit. The presentation considered the context; the funding which was required; the uncertainty between a UK agricultural policy or a bespoke Scottish agriculture policy; continuing dependence on support; flaws with the current Common Agricultural Policy (CAP); Objectives and Principles of future agricultural support; and the need for managed change at the right pace.

The Working Group heard from the Business Support Executive (Rural and Maritime) of an imminent green paper expected from the Department of Environment, Food and Rural Affairs (Defra); of the potential reduction in funding available, of decisions to be made as to whether the funding, and any attendant policy should be devolved to Holyrood or considered on a UK basis; of the already inequality in grant payments in different parts of Britain and the industry’s cultural dependence on support. There were still many more questions than answers.

There was discussion of the issues raised, and in particular the continually high percentage of ‘Total Income from Farming (TIFF)’ derived from agricultural support payments (66% in 2015 – subsidies of £498M), whether this level of support was used effectively and wisely to pursue industry objectives, and the increasing public scrutiny of the allocation and use of funding.

The Working Group **noted** the update provided.

7. RINGLINK INTERNSHIP – ORAL REPORT

With reference to the Minute of Meeting of 7 December, 2016, (Item 7), the Working Group heard from the Business Service Executive (Rural & Maritime) an update on Ringlink Internship. Of the 2016 intake, 11 out of the 12 starters had completed the programme, with four already employed full-time within the agriculture sector. There had already been 50 applications for the 2017 programme which starts in June. Despite securing Leader funding for the project it was reported that Ringlink had decided to abandon Leader support due to overly complex and restrictive operating and reporting requirements.

After discussion, and having noted that there was no scope for change to Leader procedures which were fixed until 2019, the Working Group **agreed**:-

- (1) to express disappointment that the Ringlink had opted to discontinue Leader support for the Internship programme; and
- (2) to await an update to a future meeting on the delivery locally of EU structural fund programmes.

8. ANY OTHER BUSINESS

With reference to the Minute of Meeting of 7 December, 2016, (Item 5), the Working Party heard from the Industry Support Executive of work underway by the council in partnership with Opportunity North East, SAOS and dairy producers to attract an inward dairy processing investor to NE Scotland to help secure the future of dairy production locally following the closure in June 2016 of the Muller Wiseman plant in Tullos, Aberdeen.

The Working Group **agreed** to note the update provided and await a further report to a future meeting.

9. DATE OF NEXT MEETING

In the light of the Local Government Election on 4 May, it was **agreed** to defer consideration of the date for future meetings to a later date.

There being no further business, Cllr Howatson thanked his councillor colleagues for their supportive participation in the Working Group over his five years as RAWG Chair. On behalf of the Working Group, he thanked Derek McDonald and also Jan McRobbie and her fellow committee officers for their endeavours in support of the group's activities.

The meeting closed.