

**STRATEGIC DEVELOPMENT PLANNING AUTHORITY**

**Town House, Aberdeen  
FRIDAY, 26<sup>th</sup> MARCH, 2010**

**Present:-** Councillor Argyle, Chairperson; and Councillors Cormie, Dean, Hunter, McCaig, Merson, Penny (as substitute for Councillor John Stewart), Pratt, Sullivan and Webster.

**Apologies:-** Councillors Boulton, Cox and John Stewart.

**Officers:-** **Strategic Development Planning Team:** David Jennings, Bruce Strachan and Peter Shannon.

**Aberdeen City Council:** Head of Planning and Committee Manager.

**Aberdeenshire Council:** Corporate Director of Planning and Environmental Services and Policy and Environment Manager.

**SCOTTISH AWARDS FOR QUALITY IN PLANNING 2009**

1. The Chairperson alerted members of the Authority to details contained in the information bulletin which explained that the Authority had received a commendation for outstanding performance and quality in development planning in relation to the Aberdeen City and Shire Structure Plan 2009. This commendation had been awarded to the Authority at the Scottish Awards for Quality in Planning 2009 ceremony in Edinburgh on 11<sup>th</sup> March, 2010, at which the Vice Chair of the Authority had received the award from John Swinney MSP, Cabinet Secretary for Finance and Sustainable Development.

The Chairperson expressed his appreciation to the Strategic Development Planning Team for their work on the Structure Plan as well as all of the planning staff in both Aberdeen City and Aberdeenshire Councils.

**The Authority resolved:-**

to concur with the remarks of the Chairperson.

**MINUTE OF PREVIOUS MEETING**

2. The Authority had before it the minute of its meeting of 4<sup>th</sup> December, 2009.

**The Authority resolved:-**

to approve the minute.

**DEVELOPMENT PLAN SCHEME 2010/11**

3. The Authority had before it a report by the Strategic Development Plan Manager which sought approval from the Authority for a replacement development plan scheme.

The report explained that under the Town and Country Planning (Scotland) Act 1997, as amended by the Planning Etc. (Scotland) Act 2006, the Authority is required to prepare a development plan scheme at least annually. The report

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advised that the development plan scheme needs to set out the programme for preparing and reviewing the strategic development plan and what is likely to be involved at each stage.

The report outlined the areas where the scheme was to be amended as well as the timeline involved.

The Authority heard from the Strategic Development Plan Manager who advised that the Plain English Campaign had made comments in relation to the proposed review of the development plan scheme and enquired whether the Authority wished these changes to be made.

### **The report recommended:-**

that the Authority –

- (a) agree the content of the Development Plan Scheme 2010/11 (as appended to the report) and its submission to Scottish Ministers by 31<sup>st</sup> March, 2010; and
- (b) agree the publication and circulation of the Development Plan Scheme as set out in the report.

### **The Authority resolved:-**

- (i) to delegate Authority to officers, in consultation with the Chair and Vice-Chair of the Authority, to amend the Development Plan Scheme to take into account the comments made by the Plain English Campaign ; and
- (ii) to otherwise approve the recommendations contained in the report.

## **STRUCTURE PLAN BASELINE MONITORING REPORT**

4. The Authority had before it a report by the Strategic Development Plan Manager which presented a baseline monitoring report to the Authority and sought comments upon it prior to its publication.

The report explained that monitoring is a fundamental and statutory part of the plan making process and the Authority must ensure the structure plan is an effective document that delivers on the vision, aims and objectives set out within it, and remains up to date and relevant.

The report explained that the monitoring report followed the same themes as the structure plan, concentrating on the targets agreed in relation to the spatial strategy and the six objectives as follows:-

- economic growth
- sustainable development and climate change
- population growth
- quality of the environment
- sustainable mixed communities
- accessibility

The report outlined the type of monitoring required against each structure plan theme and concluded that for several targets, new monitoring data needs to be gathered and this could entail presenting current sources in a different format or establishing new sources of data, including from outside bodies, and as a consequence of this, some indicators do not have baseline data presented,

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however, sources have been identified and monitoring of these will commence throughout 2010.

### **The report recommended:-**

that the Authority –  
note the contents of the baseline monitoring report and approve its publication.

### **The Authority resolved:-**

to approve the recommendation contained in the report.

## **PUBLIC INFORMATION NOTICES – CONSULTATION RESPONSE**

5. The Authority had before it a report by the Strategic Development Plan Manager which requested that the Authority ratify an officer response sent on behalf of the Authority to the Scottish Government's consultation on public information notices.

The report explained that the Scottish Government published a consultation document on proposed amendments to legislation governing the newspaper advertisement of public information notices on 17 December, 2009 and requested that responses be sent to them by 12 February, 2010.

The report explained the issues raised by the consultation document and provided information on the proposed response (a copy of which was appended to the report).

The Strategic Development Plan manager informed the meeting that the Scottish Government had already decided not to progress its current proposals but requested that the response be ratified anyway.

### **The report recommended:-**

that the Authority –  
ratify the response to the Scottish Government's Consultation document as detailed in the appendix to the report.

### **The Authority resolved:-**

to ratify the response sent by officers to the Scottish Government.

## **CORPORATE GOVERNANCE – MINUTE OF AGREEMENT AND PERFORMANCE INDICATORS**

6. With reference to the meeting of the Authority of 3<sup>rd</sup> December, 2008, the Authority had before it a report by the Strategic Development Plan Manager which proposed amendments to the Minute of Agreement between Aberdeen City Council and Aberdeenshire Council which governs the operation of the Aberdeen City and Shire Strategic Development Planning Authority (SDPA). The report also proposed a series of performance indicators which would monitor the performance of the SDPA.

The report explained that over the past eighteen months, the Minute of Agreement had been put into practice and this had highlighted a range of issues which mean that it is appropriate to review the Agreement, and propose amendments to it, for the approval of the SDPA and subsequently both Councils.

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The report explained that there are a total of six amendments proposed to the Minute of Agreement as follows (further details were set out in Appendix 1 to the report):-

- Aims and Objectives – the Minute of Agreement includes 16 specified aims and objectives for the SDPA. Due to the establishment of the SDPA during the preparation of the Structure Plan, Aim 3 was to complete the Structure Plan which was being prepared pending the preparation of the Strategic Development Plan. The preparation of the Structure Plan is now complete and this Aim can therefore be deleted.
- ACSEF – the Regional Economic Development Partnership changed its name in 2008. It is proposed to update references to its new name, “Aberdeen City and Shire Economic Future”.
- Preparation of Accounts – the original Minute of Agreement had been prepared on the basis that the SPDA’s accounts would not be audited independently of the two Councils. However, in early 2009 the SDPA received notification that Audit Scotland had decided to treat all four SDPAs as independent public bodies for audit purposes. Rather than the timetable set out in the Minute of Agreement, draft accounts now need to be prepared, agreed by the SDPA and submitted to Audit Scotland by the end of June each year.
- Freedom of Information – the Minute of Agreement currently requires the SDPA to publish a “Publication Scheme” under the Freedom of Information (Scotland) Act 2002. However, discussions have taken place with the Scottish Information Commissioner and have concluded that such a requirement is unnecessary. It is therefore proposed to remove this obligation from the Minute of Agreement.
- Financial Regulations – the Minute of Agreement specified the use of Aberdeenshire Council’s financial regulations by the SDPA. However, the audit position of the SDPA and the opinion of Audit Scotland as expressed in its “Report to Members 2008/09” means that the SDPA’s own regulations are required. The SDPA agreed its own set of financial regulations at its meeting of June, 2009 and this now needs to be reflected in the Minute of Agreement.
- Data Protection – matters relating to data protection were not covered in the original Agreement but it is important that the position of the SDPA is clarified. Given the joint nature of the SDPA, it is necessary that Aberdeen City Council and Aberdeenshire Council both act as Data Controller and Data Processor for the purposes of the legislation.

The report explained that the Minute of Agreement which established and guides the operation of the SDPA is between Aberdeen City Council and Aberdeenshire Council. Section 8.2 of the Agreement allows for modifications to be proposed and agreed should the need arise. It is therefore proposed to refer this report for ratification by both Aberdeen City Council and Aberdeenshire Council at the following meetings:-

- Aberdeen City Council – Enterprise, Planning and Infrastructure Committee (20<sup>th</sup> April, 2010); and
- Aberdeenshire Council – Infrastructure Services Committee (13<sup>th</sup> May, 2010).

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The report explained that the outcome of these meetings will then be reported back to the next meeting of the SDPA on 18<sup>th</sup> June, 2010.

The report explained that at its meeting of 17<sup>th</sup> June, 2009, the SDPA considered a draft annual report for 2008/09 and the report proposed the development of a set of performance indicators to be reported in the second and subsequent annual reports.

The report explained that a set of sixteen indicators has been developed for the SDPA (these were attached at Appendix 2 to the report). The indicators cover statutory performance indicators; staffing and personnel; transparency and accountability; Plain English/equalities and human rights; and environmental responsibility.

The report explained that the other three SDPAs do not yet have performance indicators, although TAYplan are proposing to develop some in the near future. The SDPA will continue to work with the other SDPAs to enable the benchmarking of performance and facilitate strategies for improvement. In the meantime, these indicators were developed taking the experience of NESTRANS into account.

The report advised that with one exception, data will be able to be reported for all sixteen indicators in 2009/10 annual report. The indicator that will not be able to be reported until 2010/11 relates to office paper consumption. One additional indicator (website usage) can only be reported for the second half of the year due to the implementation of new monitoring software following the review of the website carried out during 2009.

### **The report recommended:-**

that the SDPA –

- (a) agree to propose the six changes to the Minute of Agreement (outlined in Appendix 1 to the report), to the two Councils and refer this report and the associated draft minute extract for the agreement of Aberdeen City Council's Enterprise, Planning and Infrastructure Committee on 20<sup>th</sup> April, 2010 and Aberdeenshire Council's Infrastructure Services Committee on 13<sup>th</sup> May, 2010; and
- (b) agree the performance indicators as detailed at Appendix 2 to the report.

### **The Authority resolved:-**

to approve the recommendations contained in the report.

## **BUDGET MONITORING 2009/10 AND BUDGET PROPOSALS 2010/11**

7. The Authority had before it a report from the Treasurer which asked the Authority to note the budget monitoring for the period to February, 2010 and to agree a revised budget for 2010/11 following agreement of the partner Councils' budgeted contribution for 2010/11.

The report outlined that the forecast outturn position was attached as appendix 1 to the report and the document also includes a proposed amended budget for 2010/11. The report explained that the forecast outturn is less than budget and most lines, apart from staff costs and premises costs will be less than budget. The report explained that indicative budgets for two further years 2011/12 and 2012/13 had already been presented to the Authority at its meeting on 18<sup>th</sup> September, 2009

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and these will be further reviewed in light of experience this year and in the early part of 2010/11 and the three year financial plan will be prepared for consideration at the September 2010 meeting.

The report explained that the changes to the 2010/11 budget are minimal, the major element of the Authority's budget is concerned with staff costs with no movement expected in establishment numbers in the period under review, further discussions will be held with partner Councils to clarify the funding implications as they consider their budgets for future years, later in the Autumn.

The report explained that the budget for the Authority was initially considered as part of the Aberdeenshire Council and Aberdeen City Council overall budget proposal with a contribution of 50% of the cost to be made by each partner Council. The report explained that there was an undertaking to match funding and reduce Council partner budgeted contributions by 5% each year.

### **The report recommended:-**

that the Authority –

- (a) notes the budget monitoring forecast as at February 2010; and
- (b) agrees the amended budget for the Authority in 2010/11.

### **The Authority resolved:-**

to approve the recommendations contained in the report.

## **INFORMATION BULLETIN**

8. The Authority had before it an information bulletin prepared by the Strategic Development Plan Manager which was designed to keep members up to date on issues relating to the work of the Authority where no decisions were currently required.

Details contained in the information bulletin included:-

- Scottish Planning Policy
- National Planning Framework 2
- TAYplan Main Issues Report
- Local Development Plans
- Aberdeen Western Peripheral Route
- Third Don Crossing
- Scottish Sustainable Communities Initiative
- Union Terrace Gardens
- Scottish Awards for Quality and Planning 2009 (as detailed at Article 1 to this minute)
- Communication Strategy (ACSEF/NESTRANS/SDPA)
- Population Projections
- Housing Market Activity
- SDPA Website Statistics

### **The Authority resolved:-**

to note the details contained in the information bulletin.

- **PETER ARGYLE, Chairperson.**