

## ABERDEEN CITY COUNCIL

---

COMMITTEE	Audit, Risk and Scrutiny Committee
DATE	26 November 2015
DIRECTOR	N/A
TITLE OF REPORT	Internal Audit Report – Langdykes Road
REPORT NUMBER	N/A
CHECKLIST COMPLETED	Yes

---

### **1. PURPOSE OF REPORT**

- 1.1 This report advises the Committee of the outcome from work that Committee requested Internal Audit undertake following referral of a matter from the Finance, Policy and Resources Committee regarding the transfer of site – Langdykes Road.

### **2. RECOMMENDATION**

- 2.1 The Committee is requested to review, discuss and comment on the issues raised within this report.

### **3. FINANCIAL IMPLICATIONS**

- 3.1 There are no financial implications arising as a result of this report.

### **4. TRANSFER OF SITE – LANGDYKES ROAD**

- 4.1 At its meeting on 25 June 2015, the Audit, Risk and Scrutiny Committee considered a request from the Finance, Policy and Resources Committee of 9 June 2015 that the Committee carry out a comprehensive review of the process followed to identify a site on the south of the city to ensure compliance with legal requirements and good practice. The Committee resolved to request that the Chief Internal Auditor meet with appropriate Directors to agree the scope for the review and report back to the Committee.
- 4.2 The agreed scope was to review whether Council Officers had complied with Council Policy and Procedures in respect of the transfer of site at Langdykes Road and the granting of planning permission for the development of a Hydrogen Power Station. The review would not extend to consideration of whether the most appropriate site had been selected and approved.
- 4.3 Internal Audit meet with appropriate officers who had been involved in the project to establish a Hydrogen Power Station in the south of the city and,

during the course of the review, reviewed a number of relevant documents.

- 4.4 During the early stages of the project, eight sites were identified for consideration for use in the development by the Service. Having identified possible sites each was assessed using the following criteria:
- Cannot be green belt (unless it is current waste land)
  - Good vehicle access required
  - Clear sight lines for junctions
  - Site must be owned by Council
  - HV electrical cables available.
- 4.5 The Project Team (Applicant) approached the Planning Service to get advice on whether the sites complied with planning policy. Each site was assessed on its planning merits by the Planning Officer, and the Langdykes Road site was finally selected by the Project Team (Applicant) based on its compliance with planning policy and its deliverability.
- 4.6 Prior to submitting a planning application, the Project Team produced a Planning Application Supporting Statement providing background to the proposal, concepts (including access, traffic, usage, design and sustainability), legislation and a summary.
- 4.7 Under the Planning etc (Scotland) Act 2006, the proposed development is considered to be a 'local development'. As a result, there was no requirement to undertake a formal consultation prior to submission of a planning application. Such consultations are reserved for 'national' or 'major' development proposals.
- 4.8 A planning application was duly submitted on 21 October 2014 and, following submission of outstanding information, this was confirmed by the Planning Service as a valid application on 18 November 2014.
- 4.9 Following statutory notification to neighbours of the proposed development, and advertising in the local free press, seven representations (including one from the local Community Council) regarding the proposal were received by the final deadline for responses. In view of this, the application was referred to the Planning Development Management Committee, as required by the Council's Scheme of Delegation, on 28 May 2015.
- 4.10 Between the application date and before the deadline for representations to be made regarding the application, the Project Team held meetings with local Councillors and the community. Concerns were voiced and an alternative site was proposed which had not been considered originally as it was in green belt. However, the site was subsequently evaluated by the Project Team and the outcome of that evaluation was reported to the Finance, Policy and Resources Committee on 9 June 2015 with a comment from the Project Team that, had the site been considered as part of the original evaluation, it would have ranked second behind the Langdykes Road site. Planning Officers had assessed the alternative site and advised that development of the site would be contrary to Green Belt Policy and could not be supported as part of any formal application.

- 4.11 The report to the Planning Development Management Committee detailed the concerns raised in the representations made and addressed these by reference to Planning Policy. This provided a detailed evaluation informing Councillors of relevant matters they should consider in reaching a decision on the application. The Head of Planning and Sustainable Development's recommendation was to approve the application, subject to specific conditions.
- 4.12 Following divisions on two issues, the Committee divided in reaching its decision to approve the application in accordance with the Head of Planning and Development's recommendations.
- 4.13 On 26 May 2015, the Property Sub-Committee considered a report which requested that the transfer of the development site at Langdykes Road from the Housing Revenue Account to the General Fund be approved. The Sub-Committee resolved to refer the matter to the Finance, Policy and Resources Committee for consideration. That Committee resolved, on 9 June 2015, to agree the Director of Communities, Housing and Infrastructure's recommendations, including:
- that following an initial assessment the chosen site at Langdykes Road be progressed for the project; and
  - approve the transfer of the site from the Housing Revenue Account to the General Fund.
- 4.14 In conclusion, it is considered that Officers complied with Council Policy and Procedures in respect of the transfer of the site at Langdykes Road, the submission of a planning application, and the recommendation to grant planning permission for the development of a Hydrogen Power Station. The decision to grant consent for the development was made by Members of the Development Management Committee.

## **5. REPORT AUTHOR DETAILS**

David Hughes, Chief Internal Auditor  
[David.Hughes@aberdeenshire.gov.uk](mailto:David.Hughes@aberdeenshire.gov.uk)  
(01224) 664184