

ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	23 August 2023
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Regional Land Use Partnership Pilot Board
REPORT NUMBER	COM/23/241
DIRECTOR	Gale Beattie
CHIEF OFFICER	David Dunne
REPORT AUTHOR	David Berry
TERMS OF REFERENCE	General 8.2

1. PURPOSE OF REPORT

- 1.1 This report provides background on the establishment of a Regional Land Use Partnership (RLUP) Pilot Board for the North East of Scotland and seeks the appointment of two elected members to the Board.

2. RECOMMENDATIONS

That Council:-

- 2.1 Instruct the Chief Officer – Strategic Place Planning to continue to work collaboratively with Officers in Aberdeenshire Council on the development of the North East Regional Land Use Partnership Pilot, recognising the strong history of partnership working between the two Councils on matters affecting the North East Region;
- 2.2 Note the Terms of Reference for the newly formed Regional Land Use Partnership Pilot Board for the North East of Scotland; and
- 2.3 Appoint two members from Aberdeen City Council to sit on the Regional Land Use Partnership Board.

3. CURRENT SITUATION

- 3.1. The Climate Change (Scotland) Act 2009 places a requirement on Scottish Ministers to produce a Land Use Strategy every five years. Scotland's Land Use Strategy is a strategic document that sets out the Scottish Government's vision for sustainable land use in Scotland, as well as the Government's key objectives and policies for delivery. It was first published in 2011 and the third (most recent) iteration was published in March 2021. The aim of the third National Land Use Strategy "Land Use - Getting the Best from our Land:

Strategy 2021 to 2026”¹ is to make land use more understandable and accessible to everyone. It aims to support a shift in the way we think about land to promote more inclusive conversations around how we use land and who should be involved in decisions about land use. The strategy recognises that the current climate and nature emergencies cannot be addressed without changes to the way we use, manage and live on our land.

- 3.2. Instead of the sectoral approach set out within the earlier strategies, the third National Land Use Strategy promotes a more holistic approach on how sustainable land use in Scotland might look. Seven landscapes have been identified in the Strategy to broadly represent different aspects of land across Scotland: Settlements, Enclosed Farmland, Semi-Natural Land, Rivers and Water Bodies, Coastal, Islands and Marine.
- 3.3. The Strategy also identifies a number of platforms that are available to take forward deeper conversations regarding sustainable land use. Two are highlighted in particular – the (recently adopted) National Planning Framework 4 and a series of Regional Land Use Partnership (RLUP) pilots.
- 3.4. In early February 2021 Aberdeenshire Council was advised by the Scottish Government Cabinet Secretary that its Expression of Interest to participate as a Regional Land Use Partnership Pilot Region, submitted on behalf of Aberdeen City and Aberdeenshire Councils, had been successful. The submission followed an invitation from the Scottish Government in mid-January 2021 to all future Regional Spatial Strategy Groupings in Scotland.
- 3.5. Five RLUP pilot areas have been selected to participate in this project from across Scotland. The pilot areas are:
 - Cairngorms National Park;
 - Highland Council;
 - Loch Lomond and the Trossachs National Park;
 - North East Region (Aberdeenshire and Aberdeen City Council areas); and,
 - South of Scotland (Dumfries and Galloway and Scottish Borders Councils).
- 3.6. The Scottish Government has identified that the RLUP pilots will have three phases:
 - Phase 1 – Establish a partnership structure able to deliver a collaborative approach to land use change decision-making, involving national and local government, landowners and managers, communities and stakeholders.
 - Phase 2 – Develop a Regional Land Use Framework (RLUF) to identify key priorities for land use within the region that align to national climate and environmental targets.

¹ <https://www.gov.scot/publications/scotlands-third-land-use-strategy-2021-2026-getting-best-land/documents/>

- Phase 3 – Focus on delivering the objectives in the Framework.
- 3.7. Participating in the new pilot will allow the Council, in partnership with Aberdeenshire Council, to build on and update on earlier regional partnership work undertaken through the Strategic Development Planning Authority (SDPA) and progress, in a collaborative way, the preparation of a new Land Use Framework for the North East Region. The Framework will take a natural capital / ecosystem approach to identify at a landscape level potential land use changes with positive climate and environmental impacts. This will then allow the Councils to set regional land use and environmental objectives to help address the twin challenges of climate change and biodiversity, and link these to wider regional goals, such as those with the Regional Economic and Transport Strategies. This would then be used to inform the preparation of other future plans and strategies such as the Regional Spatial Strategy and Local Development Plan.
- 3.8. Officers from both Aberdeen City and Aberdeenshire Councils have begun to progress initial work under Phase 1 of North East Pilot, with Aberdeenshire Council leading the project due to the more extensive range of different landscape and land use types present. An overall governance structure for the RLUP pilot has been developed by Aberdeenshire Council and involves the establishment of a RLUP Pilot Board to oversee production of the RLUF. Aberdeenshire Council's Infrastructure Services Committee agreed Terms of Reference for the RLUP Pilot Board at a meeting on 11 May 2023. A copy of the approved Terms of Reference is included at Appendix 1 for Members' information.
- 3.9. Aberdeenshire Council will be providing secretariat support to the RLUP Board and it is intended that Board membership will comprise the following representatives:
- An independent Chair
 - Five Elected Members reflecting political representation in the North East RLUP area (three from Aberdeenshire Council and two from Aberdeen City Council)
 - Agriculture industry
 - Forestry industry
 - Environmental organisations
 - Relevant research institutions
- 3.10. There has already been interest expressed by various parties which cover a wide range of interests and fields of expertise relative to the above mentioned industries. In line with recommendations 2.2 and 2.3 above, Council is therefore requested to note the Terms of Reference and appoint two members from Aberdeen City Council to the RLUP Pilot Board.

4. FINANCIAL IMPLICATIONS

- 4.1. As noted in Section 3, Aberdeenshire Council is leading the North East RLUP pilot and will be providing secretariat support to the RLUP Board. The Scottish

Government has committed to provide up to £65,000 of grant funding to Aberdeenshire Council to deliver the RLUP Pilot for financial year 2023/24. This will be claimed quarterly by them in arrears. There is no current commitment from Scottish Government to funding after 2023/24. Phases 2 and 3 of the RLUP pilot process have therefore been paused by Aberdeenshire Council until confirmation of Scottish Government funding for 2024/25 has been provided, which they will require in order to continue provision of secretariat support to the RLUP Pilot Board and delivery of the RLUF beyond the current financial year. The Scottish Government has advised that the budget for future years will be agreed by them through its normal budgetary planning process.

- 4.2. In terms of financial implications for Aberdeen City Council, there are no direct implications as a result of this report as ongoing officer support to the project can be met from existing budgets.

5. LEGAL IMPLICATIONS

- 5.1 There are no direct legal implications arising from the recommendations of this report.

6. ENVIRONMENTAL IMPLICATIONS

- 6.1 RLUPs are expected to enable natural capital led consideration of how to maximise the contribution that land can make to addressing the twin climate and biodiversity crises. They are also expected to help optimise land use in a fair and inclusive way – meeting local and national objectives and supporting the transition to net-zero. The RLUF will be subject to any necessary statutory environmental assessments during its production.

7. RISK

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) <small>*taking into account controls/control actions</small>	*Does Target Risk Level Match Appetite Set?
Strategic Risk	The RLUP pilot is expected to support the delivery of several Council outcomes (as identified in Section 8 below). Failure to participate in the pilot process may mean that these	Appoint two Members to the RLUP board and participate in the RLUP pilot process.	L	Yes

	potential benefits are not fully realised.			
Compliance	With the North East having been selected by Scottish Government as one of five RLUP pilots, it will be important for ACC to participate in the pilot process to avoid any compliance risks.	Appoint two Members to the RLUP board and participate in the RLUP pilot process.	L	Yes
Operational	No significant risks identified.	N/A	N/A	N/A
Financial	Phases 2 and 3 of the RLUP pilot are paused until Aberdeenshire Council receives confirmation of Scottish Government funding for 2024/25. The RLUP Pilot may not progress unless such funding is confirmed.	Aberdeenshire Council to seek confirmation of Scottish Government funding to enable continuation of the RLUP project.	L	Yes
Reputational	Failure to participate in the RLUP pilot process may have an adverse reputational impact for ACC.	Appoint two Members to the RLUP board and participate in the RLUP pilot process.	L	Yes
Environment / Climate	Failure to participate in the RLUP pilot process may mean that its potential environmental and climate benefits are not fully realised.	Appoint two Members to the RLUP board and participate in the RLUP pilot process.	L	Yes

8. OUTCOMES

<u>COUNCIL DELIVERY PLAN 2023-2024</u>	
Impact of Report	
Aberdeen City Council Policy Statement	<p>The proposals within this report support the delivery of the following aspects of the policy statement:-</p> <ul style="list-style-type: none"> • Building a Greener and Sustainable City

<u>Working in Partnership for Aberdeen</u>	<ul style="list-style-type: none"> Empowering Aberdeen's Communities
<u>Aberdeen City Local Outcome Improvement Plan 2016-26</u>	
Prosperous Place Stretch Outcomes	The proposals within this report support the delivery of LOIP Stretch Outcomes 13 (Addressing climate change by reducing Aberdeen's carbon emissions by at least 61% by 2026 and adapting to the impacts of our changing climate) and 15 (Addressing the nature crisis by protecting / managing 26% of Aberdeen's area for nature by 2026). The paper seeks to nominate two ACC Members onto the RLUP Pilot Board for the North East. RLUP pilots are expected to enable natural capital led consideration of how to maximise the contribution that our land can make to addressing the twin climate and biodiversity crises.
<p style="text-align: center;">Regional and City Strategies</p> <p><u>City Strategies and Strategic Plans</u></p> <ul style="list-style-type: none"> - Local Development Plan - Net Zero Routemap for the City 	<p>The proposals within this report will complement the Local Development Plan in helping to promote sustainable patterns of land use across the City.</p> <p>They will also support the Net Zero Routemap for the City by enabling natural capital-led consideration of how to maximise the contribution that our land can make to addressing the twin climate and biodiversity crises, and by helping to optimise land use in a fair and inclusive way – meeting local and national objectives and supporting Scotland's just transition to net-zero.</p>

9. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	Not required at this stage, although the RLUF will be subject to any necessary impact assessments during its production.
Data Protection Impact Assessment	Not required at this stage, although the RLUF will be subject to any necessary impact assessments during its production.
Other	None

10. BACKGROUND PAPERS

- 10.1 Scotland's Third Land Use Strategy 2021 – 2026: Getting the best from our land (<https://www.gov.scot/publications/scotlands-third-land-use-strategy-2021-2026-getting-best-land/documents/>)

11. APPENDICES

- 11.1 Appendix 1 – Terms of Reference for RLUP Pilot Board

12. REPORT AUTHOR CONTACT DETAILS

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APPENDIX 1

NORTH EAST SCOTLAND REGIONAL LAND USE PILOT BOARD TERMS OF REFERENCE

The North East Regional Land Use Planning Pilot Board (RLUP Pilot Board) is a partnership Board tasked with the preparation of the Regional Land Use Framework for the North East of Scotland (RLUF).

The RLUP Pilot Board membership is to total no less than 15 in number and shall accommodate the following representatives:

- An Independent Chair
- Five Elected Members reflecting political representation in the North East RLUP area (3 from Aberdeenshire Council and 2 from Aberdeen City Council)
- Agriculture Industry
- Forestry Industry
- Environmental organisations
- Relevant Research Institutions

The RLUP Pilot Board will be supported by a working group and technical support. It is also expected that the RLUP Pilot Board will have access to a panel of willing experts across a number of relevant specialisms who might be able to offer advice to the Board if required. Both the supporting working group and pool of experts could be expected to be drawn from Government Agencies, including NatureScot, Scottish Environmental Protection Agency (SEPA), and Scottish Water, the Scottish Government Rural Payments and Inspections Directorate (SGRPID), Marine Scotland, and Historic Environment Scotland (HES). However, university and research organisations such as the James Hutton Institute and Scotland's Centre of Expertise for Waters (CREW) have a significant potential input given the importance of water and soil management to all living and working in the North East Region.

The creation of the RLUP Pilot Board represents the joint commitment of the constituent Local Authorities along with partnership organisations to oversee the preparation of the RLUF for the North East of Scotland.

In particular it shall:

1. Prepare a draft Regional Land Use Planning Framework (RLUF) for approval by the constituent Local Authorities, and which draft RLUF shall identify and include regional strategic priorities for land use/landscape change within the North East region. The draft RLUF shall be supported by an appropriate evidence base.
2. Ensure that the preparation of the draft RLUF takes a natural capital / ecosystem approach in identifying 'strategic priorities' for landscape change that will deliver positive outcomes for climate and the environment.

3. When undertaking its work, the RLUP Pilot Board should engage with the identified Stakeholder Groups in **Appendix A** and any other stakeholders that the RLUP Pilot Board might consider to be beneficial to the identification of strategic priorities during preparation of the draft RLUF. The RLUP Pilot Board may therefore identify additional bodies or groups for early engagement.
4. Members of the RLUP Pilot Board should engage with the respective organisations they represent in order to bring the wealth of their colleagues' experience to the preparation of the draft RLUF.
5. The secretariat function for the RLUP Pilot Board will be provided by Aberdeenshire Council and this will include support on wider public and stakeholder engagement on draft priorities prepared by the Board and set out within the Draft RLUF. **Appendix B** attached sets out relationships.
6. These terms of reference will be kept under review by the constituent Local Authorities. At present the lifespan of the RLUP Pilot Board is not known until the Scottish Government identify the longer-term future for Regional Land Use Partnerships in Scotland.

APPENDIX A

Key established groups identified within the NE Region are:

- NESAAG (North East Scotland Agricultural Advisory Group);
- North East Scotland Area Advisory Group – one of a number of multistakeholder area advisory groups across Scotland, established by SEPA with the aim of assisting delivery of river basin management planning;
- North East Scotland Biodiversity Partnership (NESBiP) – established with members drawn from local government, environmental organisations, wildlife charities and hosted by the James Hutton Institute;
- Community Planning Partnerships – these partnerships are responsible for delivering positive changes for the communities of Aberdeenshire and Aberdeen;
- Climate Ready Aberdeenshire / Aberdeen Adapts – governed by steering groups consisting of senior representatives from organisations throughout the North East of Scotland and local groups.

In addition to the key stakeholder groups identified above, the RLUP Pilot Board should undertake early engagement with the Scottish Tenant Farmers Association along with organisations that represent the renewables sector, including water, wind and solar farming.

Others that may be considered for early engagement if not already participating as members of the Pilot RLUP Board might also include:

- Transport Infrastructure - Network Rail (Scotland)
- NGOs – WWF
- NGOs - Woodland Trust
- NGOs - John Muir Trust
- NGOs – National Trust for Scotland
- Scottish B-Lines Buglife Scotland
- Scottish Moorland Group (Grampian Group)
- Food Sector – Scottish Food and Drink
- Economic – Opportunity North East Food and Drink
- Various – The RSA (Royal Society for Arts)
- Professional Body – Royal Town Planning Institute
- Professional Body – Royal Institute for Architecture in Scotland
- Professional Body – Royal Institute for Chartered Surveyors

APPENDIX B

Governance Structure for NE RLUP Phase 2

