



Planning Application Processing Agreement

**Between Aberdeen City Council and
Aberdeen FC Community Trust &
Aberdeen Football Club plc**

In respect of an application for:

Proposed Community and Sports Facilities, Football Academy, (comprising outdoor pitches, pavilion, ancillary buildings), Stadium (20,000 capacity), ancillary uses, formation of access roads, parking and associated landscaping and engineering works.

On Land at Kingsford, Aberdeen, AB15 8QR

1 Introduction

This is a processing agreement between the Council, Aberdeen City Council and the Applicant. A processing agreement is a project management tool for the applicant, Council (including roads and legal officers) and statutory consultees and will be promoted by the Council for all major developments. Processing agreements may also be a useful way of project managing more complex non-major developments that fall into the local development category.

Processing agreements will only work effectively if the agreement is entered into before the relevant planning application is submitted.

The processing agreement sets out the roles and responsibilities of the parties and identifies the key processes involved in determining the planning application, identifying what information is required and from whom. It also sets the dates and/or timescales for the delivery of various stages of the process. The processing agreement is not legally binding and in no way guarantees the granting of planning consent.

It should be emphasised that if any of the information requirements, key dates and timescales included in this agreement are not submitted/achieved this is highly likely to have knock on effect on dates and times later in the agreement. In these circumstances the dates and timescales will have to be renegotiated - this may be best done at one of the scheduled progress meetings between the Council and the applicant.

2 Application Details Table

1

Description of Development	Proposed Community and Sports Facilities, Football Academy, (comprising outdoor pitches, pavilion, ancillary buildings), Stadium (20,000 capacity), ancillary uses, formation of access roads, parking and associated landscaping and engineering works.
Address	Land at Kingsford, Aberdeen, AB15 8QR
Application Type	Full Planning Permission
Category of Development	Major
Proposal of Application Reference	P160853
Likely Delegated Application	No
Development Plan Departure	Yes
EIA	Yes 161224/ESC
Other Planning Requirements Development Framework Masterplan	N/A
Other Consents Required	TBC
Application Reference	TBC

3 Key Contact Details

The persons identified below are the key contacts between the Council and the applicant. The key contacts will liaise regularly on the progress of the application and will contact each other as soon as possible should any matter arise which is considered likely to delay progress on processing of the planning application.

Table 2

Applicant key contact name (Agent)	Scott Leitch / Lucy Sumner
Address	Halliday Fraser Munro Carden Church 6 Carden Place Aberdeen AB10 1UR
Telephone Number	01224 388700
Email Address	planning@hfm.co.uk
Council key contact name (Case Officer)	Garfield Prentice
Address	Aberdeen City Council Planning and Sustainable Development Enterprise Planning and Infrastructure Business Hub 4 Marischal College Broad Street Aberdeen AB10 1AB
Telephone Number	01224 522198
Email Address	gprentice@aberdeencity.gov.uk
Alternative Contact	Ross McMahan
Telephone Number	01224 522241
Email Address	RMcMahon@aberdeencity.gov.uk

4 Applicant Information Requirements - Key Dates

The following information will be submitted via E-Planning Scotland by the applicant as part of the initial planning application package. File size will be restricted to 5MB as far is practicable (eg by dividing larger documents in to chapters) to enable display on the Council's website. Electronic files should be given a name that is clear and readily intelligible by the general public.

It is expected that all essential supporting information identified at the pre-application stage will be submitted with the application. However, if the applicant has justifiable reasons for a delay in submitting essential supporting information the timescale will be agreed in the table below and should be no more than 14 days after the validation of the application. The timescales within this processing agreement will have to be extended in accordance with the delay in submitting essential information. For instance, delay in submission of a flood risk assessment will delay consultation with SEPA.

If further information is required by the Council to enable them to deal with the application under Regulation 24 of the T&CP (DM Procedure) Regs 2008 then the Council will identify and request this information from the applicant as soon as possible (and an absolute maximum of 28 days after validation of the application). The case officer may also require further information required as a result of issues raised by representations and consultees and this will be requested within 5 days of the case officer becoming aware of the need for this information.

The applicant will provide any information requested within 28 days of the receipt of the request.

Table 3

Information to be provided	Date/timescale to be provided
Redacted copy of DRAFT processing agreement	4 January 2017
Completed & signed processing agreement	9 January 2017
Planning Application forms & notifications	11 January 2017
Location and site plans	11 January 2017
Plans & Drawings (existing & proposed)	11 January 2017
Planning Statement (Green Belt)	11 January 2017
PAC Report	11 January 2017
Design and Access Statement	11 January 2017
M&E Sustainability Statement	11 January 2017
Environmental Interpretative Report	11 January 2017
Transportation Assessment	11 January 2017
Flood Risk Assessment	11 January 2017
Drainage Assessment	11 January 2017
Socio-Economic Impact Assessment	11 January 2017
Environmental Statement	11 January 2017
Additional information to be provided	
Full contact details of the applicant's solicitor in relation to the finalisation of any legal agreement required in association with application	Burness Paull LLP 5th & 6th Floor Union Plaza 1 Union Wynd Aberdeen AB10 1SL

5 Consultees

The following applies to all consultees whether internal or external to the Council. The Council:

- o will consult (electronically if possible) within 7 days of validation of the application or within 7 days of receipt of information (if applicant has submitted essential information in the table on which the case officer considers that the consultee requires to be consulted) and
- o set a time period for consultees to respond (tailored to the time involved to respond but a maximum of 28 days)
- o ensure that responses are monitored and if possible chased by e-mail and phone call if necessary within 3 working days of the end of the consultation period giving 3 working days for a response,

- will assume that the consultee has no comments if there is no response within 3 working days of the telephone call and e-mail chasing the response and
- pass on responses from consultees to applicant immediately on receipt

The Council has confirmed that the statutory consultees in Table 4 require to be consulted in connection with the planning application.

Table 4

Statutory Consultee	Key date/timescale for response
Scottish Natural Heritage	27 February 2017
SEPA	27 February 2017
Scottish Water	27 February 2017
Transport Scotland	27 February 2017
Historic Environment Scotland	27 February 2017
Health and Safety Executive	27 February 2017
Sport Scotland	27 February 2017
Aberdeen International Airport	27 February 2017
Kingswells Community Council	27 February 2017
Scottish Government	N/A
Aberdeenshire Council	27 February 2017

The Council has confirmed that the following non statutory consultees require to be consulted in connection with the planning application.

Table 5

Non Statutory Consultee	Date for response
Westhill & Elrick Community Council	27 February 2017
Cults, Bieldside and Milltimber Community Council	27 February 2017
Strategic Development Planning Authority	27 February 2017
Police Scotland	27 February 2017
Scottish Fire & Rescue	27 February 2017
BP	27 February 2017
Shell	27 February 2017
Dee District Salmon Fishery Board	27 February 2017
RSPB	27 February 2017

The Council has confirmed that the following Council services require to be consulted in connection with the planning application.

Table 6

Council Service	Date for response
Masterplanning, Design & Conservation	27 February 2017
Roads Development Management Team	27 February 2017
Environmental Policy	27 February 2017
Archaeology Service	27 February 2017
Environmental Health	27 February 2017
Developer Obligations Team	27 February 2017
Flooding & Coastal	27 February 2017

Economic Development	27 February 2017
City Centre Masterplan Team	27 February 2017
Waste Strategy Team	27 February 2017

6 Legal Agreement

As soon as the requirements of any legal agreement have been agreed in writing between the case officer and the applicant (in consultation with the Planning Gain Officer) the case officer will issue an instruction by e-mail on the standard pro-forma to the Council's Legal Team (legal services manager) to progress the legal agreement, copying in the applicant's solicitor and the applicant.

The applicant will pass draft Heads of Terms for the Section 75 Legal Agreement to the Council's Legal Services within [T B C] days of written confirmation from the case officer of the requirements of a legal agreement (a draft will also be passed to the case officer). The Council's legal services will respond to the draft Heads of Terms within [TBC] days. Within [TBC] days of this response the applicant will send a draft Legal Agreement to legal services copying in the case officer. Where possible, conclusion of the Legal Agreement should take place within 3 months of consideration of the application at the Development Management Sub Committee.

7 Project Plan - Key Milestones

The parties confirm that the stages identified below are the key milestones in the planning application process. The parties will use their best endeavours to ensure that each stage is concluded by the agreed date.

Table 7

Milestone	Agreed Date	Responsibility	Achieved By
Pre-Application Phase			
Processing Agreement Inception Meeting	N/A	Council and Applicant	
Draft processing agreement	6 January 2017	Council, Applicant and stakeholders	
Processing Agreement Signed	9 January 2017	Council and Applicant	
Agree Project Programme	23 January 2017	Council and Applicant	
Agree Development Framework/ Masterplan (if required) Scoping Report	N/A	Council and Applicant	
EIA Screening and Scoping Opinion (if required)	7 September 2016	Council	
Submission of Proposal of Application Notice	28 June 2016	Applicant	
Meeting with Council and Key Consultees	Ongoing through June - December 2016	Council and Applicant	
Held Consultation Event	26 July 2016 29 July 2016 2 August 2016 3 August 2016 5 August 2016 6 August 2016	Applicant	

Held Second Consultation Event	24 November 2016	Applicant	
Processing Agreement Reviewed	6 March 2017	Council and Applicant	
Application Phase			
Submission of Planning Application and Supporting Documents (as per Table 3)	Day 0 (11 January 2017)	Applicant	
Validation, Neighbour Notification complete	Day 0 + 6 working days	Council	
Documents saved to Council Web Site	Day 0 + 6 working days	Council	
Application advertised in press and advertisement fee paid by applicant (if applicable)	Day 0 + 14 days	Council	
Consultation with Statutory Consultees completed	18 January 2017	Council	
Consultation with Non Statutory Consultees completed	18 January 2017	Council	
Consultation with Council service consultees completed	18 January 2017	Council	
Period for representations ends	20 February 2017	Council	