

Statement to be read out in relation to the report on Interim Nitrogen Mitigation Solution

In order to provide greater clarity on both the process for developing the nitrogen mitigation solution and the potential costs to the Council, the following amendments are tabled on the report.

A new recommendation to read;

(c) (It is recommended that the Executive) notes that the detail of the potential mitigation measures will be provided to the Executive where they have material resource implications to the Council, along with details of any developer contributions.

The 'costs of proposals' section of the report to be updated to read;

It is anticipated that the proposal will be cost neutral to the Council as developers will be required to make a financial contribution to fully cover any costs involved in the mitigation solutions.

Paragraph 16 to be amended to read;

Further discussions are required with third parties to advance many of these options. Early work suggests that a combination of measures would be sufficient to provide a solution for housing development going forward. The package of mitigation measures would be further developed as the nitrate mitigation solution available to those developers that cannot find their own mitigation solutions or demonstrate nutrient neutrality. The Executive would be further updated on the development of these package of measures and any upfront costs that may need to be borne by the Council. As the mitigation measures are being worked up, the Council would be able to issue permissions with Grampian conditions, subject to agreement with applicants, which would prevent occupation of the dwellings until such a time as the Council can be satisfied that sufficient mitigation is secured to be able to conclude that there would be no adverse effect on the European sites. For those developments that will depend upon the Council's mitigation solution, there will be a financial charge to the developer secured through a legal agreement or similar.

Paragraph 17 to be amended to read;

However, it is important to note that not all planning applications would need to utilise the Council's mitigation solution and each case will be dealt with on its merits. Alternative mitigation may be proposed or secured by applicants depending on the circumstances. For example, if the development can provide sufficient mitigation on or off-site to demonstrate nitrate neutrality, the planning application can be determined on that basis and Grampian conditions need not apply. The Council may be able to conclude no adverse effect on integrity of designated sites in a number of

ways.

Paragraph 20 to be amended to read;

It is anticipated that the mitigation solution will be cost neutral to the Council in overall terms as developments that need to utilise the Council's solution will be required to make a financial contribution equivalent to the cost of mitigation and any interim costs of implementing the arrangements.

Paragraph 21 to be amended to read;

The financial implications will be set out in greater detail as the package of measures is being developed, in a further report(s) to the Executive.