

Item 12

Council Procedure Rule 8 - Questions (two received)

Steve Lavelle (member of the public) submitted the following question:

What constraints, if any, exist that may influence the council exercising their powers under Section 222 of the Local Government Act 1972 (LGA 1972) which gives local authorities power to prosecute criminal offences, namely environmental law offences, when it is expedient for the promotion or protection of the interests of their inhabitants?

Angela Taylor (member of the public) submitted the following question:

Following the Stage 2 examination of the Draft Local Plan on 16th January 2026, and subsequent discussions and statements from the independent inspector regarding the forward funding of critical and required infrastructure associated with Policy SP8 and the Infrastructure Delivery Plan, concerns have been raised about the financial exposure, developer cash-flow constraints and the risks to the Council arising from the scale and timing of the potential delivery of 1200 new houses, essential infrastructure on the land south of Fellgate.

Accordingly, can the Council provide confirmation and a written response to the following questions:

- 1. What specific measures have been or will be identified to assess and fully mitigate the financial and delivery risks associated with any forward funding arrangement, including affordability, security, repayment terms, and value for money.*
- 2. Whether any proposed forward funding arrangement has been, or will be subject to full legal, financial, and governance due diligence, with decision-making undertaken in accordance with the Council's Constitution, the core financial regulations, other related Central Government legislation and Grampian conditions as defined and enacted by current legislation.*