

ABERDEENSHIRE COUNCIL

BANFF AND BUCHAN AREA COMMITTEE, COUNTY HALL, LOW STREET, BANFF TUESDAY 21 JULY 2015

Present: Councillors J B Cox (Chair), R A Cassie, M A Findlater, I W Gray, I S Tait and B A Topping.

Apologies: Councillors C C Buchan, H Partridge and M J Roy.

Officers: Miss M J Cardno, Area Manager; Mr P Robertson, Senior Solicitor; Mr J D Naismith, Principal Engineer; Mr J Martin, Senior Planner; Mr S Panton, Planner, Mr J Dawson, Senior Environmental Health Officer; Mr G Cameron, Principal Roads Engineer, Mrs C McCall, Engineer; Mr S Norman, Environment Planner; Mr I Rogan, Area Planning Officer and Mrs E M Farquhar, Area Committee Officer.

In attendance: Mr B Milne, Scottish Fire and Rescue Service

1. DECLARATION OF MEMBERS' INTERESTS

The Chair asked members if they had any interests to declare in terms of the Councillors' Code of Conduct.

No Councillors' interests were stated.

2. RESOLUTIONS

A. STATEMENT OF EQUALITIES

In making decisions on the following items of business, the Committee **agreed**, in terms of Section 149 of the Equality Act, 2010:-

1. to have due regard to the need to:-
 - (a) eliminate discrimination, harassment and victimisation;
 - (b) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
 - (c) foster good relations between those who share a protected characteristic and persons who do not share it.
2. where an Equality Impact Assessment was provided, to consider its contents and take those into account when reaching their decision.

B. EXEMPT INFORMATION

The Committee **agreed** under Section 50A (4) and (5) of the local Government (Scotland) Act 1973, as amended, that the public and media representatives be excluded from the meeting for Item 10 of the business on the grounds that these item involves the likely disclosure of exempt information of the class described in Paragraph 9 of Part 1 of Schedule 7A of the Act.

3. MINUTE OF MEETING OF 16 JUNE 2015

The minute of meeting of 16 June 2015 had been circulated.

The Committee **agreed to approve** the minute as a correct record.

4. LIST OF OUTSTANDING BUSINESS AT 21 JULY 2015

The list of outstanding business at 21 July 2015 had been circulated.

The Committee:-

1. **noted** the Outstanding Business List at 21 July 2015,
2. Item 7 – Ordiquhill School – expressed concern that the informal meeting with the Director of Education and Children’s Services would not take place until 14 September 2015 and **agreed** that the outstanding report on Ordiquhill School be presented to the Committee 18 August 2015 and that the recent Education Scotland report on Ordiquhill school be included with the report.

5. SCOTTISH FIRE AND RESCUE SERVICE (SFRS) STRATEGIC PLAN 2016-2019 DEVELOPMENT

A report dated 16 June 2015 from the Director of Business Services had been circulated to advise the Committee of the above plan and to invite comment.

The Committee:

1. **noted** that formal comments were invited from individual Councillors until the end of July 2015 that these comments should be sent to the Area Manager for forwarding to the SFRS.
2. **agreed** to make the following comments as endorsed by the whole Committee:
 - i) The Scottish Government should be encouraged to look at stricter penalties for false alarms.
 - ii) Partnership at strategic and operational levels should be extended, with a greater focus on Prevention, e.g. housing associations should be encouraged to provide fixed sprinklers in new social housing buildings.
 - iii) There should be a central repository where information could be held jointly for the police, the fire service, community groups, and other agencies, to make rescue or prevention faster.
 - iv) Public education should be increased, especially to the elderly and school pupils, and SFRS officers should be encouraged to attend community groups as often as possible.
 - v) More should be done to share responsibility across the private sector e.g. shops which sell barbecue equipment should be encouraged to do this with greater consideration to safety issues.
 - vi) Concern was expressed that the proposed budget savings were excessive against the expected increase in risks especially in terms of the anticipated significant increase in the number of elderly people.
 - vii) More detail should be included in the continuous improvement section particularly in relation to training, recruitment and retention of staff.

3. **noted** that it would be impossible to have a joint presentation to all seven Community Safety Groups before the end of July but that consideration would be given to this during the consultation in the final quarter of 2015.

6. BANFF AND BUCHAN AREA INITIATIVES FUND 2015/2016

A report dated 07 July 2015 from the Director of Business Services had been circulated to ask the Committee to approve the allocation of the Community Council funding for 2015/2016.

The Committee **agreed**:-

1. to allocate the available £52,500 as detailed below:-
 - a) Banff and Macduff Community Council – Emergency Life Support Skills Training - Amount requested – 2762.90.

Award of £2,762.90 granted
 - b) Whitehills Public Hall – Refurbishment of Public Hall - Amount requested - £8,000.00

Award of £2,615 granted (the balance of £5,385.00 to be sought from Developer Contributions).
 - c) Portsoy Community Association – Replacement of Astro Turf - Amount requested £5,000.00

Award of £5,000.00 granted
 - d) Gardenstown Harbour Trustees – Replacement Entrance Door - Amount requested £2,000.00

Award of £2,000.00 granted
 - e) Aberchirder Community Association – Replacement of Tubs and Lyons Gate - Amount requested £784.00

Award of £784.00 granted
 - f) Dial-a-Bus – Road Safety Education for Year 6 Pupils - Amount requested £3,040.00

Award of £3,040.00 granted
 - g) Portsoy Out of School Club – Upgrade Indoor and Outdoor Equipment - Amount requested £1,502.00

Award of £1,502.00 granted
 - h) Fraserburgh Fitness Centre – Purchase of Equipment - Amended amount requested £4,300.00

Award of £4,300.00 granted
 - i) Sandhaven and Pitullie Harbour Trust - Amount requested £7,700.00

Award of £7,700.00 granted

- j) Fraserburgh Heritage Society – Hugh Mercer Display - Amount requested £1,500.00

Award of £1,500.00 granted

- k) HomeStart – Parent/Child Pathway and Volunteer Support - Amount requested £4,520.00

Award of £4,520.00 granted

- l) Invercairn Community Hall – Refurbishment of Community Hall - Amount requested £3,680.00

Award of £3,680.00 granted

- m) Fraserburgh Surf Life Saving Club - Amount requested £5,000

Award of £400.00 granted

- n) Portsoy and Fordyce Scout Group – Minibus - Amount requested £10,000.00

Award of £5,000.00 granted (subject to confirmation that delivery timescales can be adhered to)

- o) Princess Royal Sports and Community Trust - Amount requested £5,000.00

Award of £4906.10 granted (subject to confirmation that delivery timescales can be adhered to)

2. **agreed** to set aside the amount of £2,790.00 in relation to the request for funding from Portsoy Community Council but that a visit be arranged with Portsoy Community Council to consider the work to be done in relation to the proposed footpath project at Kirkies Wood before any award is made, and

3. **agreed** that no award be made to the following groups:

- a) Gardenstown Playschool – Running Costs

Amount requested £5,000.00 - The Committee felt that this project was not sustainable in the long term.

- b) Twin Towns United Regeneration Forum – Hidden Places

Amount requested £1,689.00 - The Committee felt that there were other sources of funding available for this project

- c) Aberdeen FC Community Trust – Health Walk and Walking Football

Amount requested £5,000.00 - This was deemed ineligible as the criteria agreed by the Area Committee at its meeting on 05 May 2015 stated that organisations with an annual turnover of more than £250,000 should not be considered.

d) Twin Towns United Regeneration Forum – Oor Turf Newsletter

Amount requested £912.00 - The Committee felt that there were other sources of funding available for this project

e) Deveron FM – Recording Studio and Live Lounge Area

Amount requested £5,000.00 - This is a private company and this would also be duplication of provision as the Macduff Arts centre already had this facility and the equipment required was already purchased.

f) Clan – Complementary Therapies

Amount requested £3,840.00 – This organisation has an income of over £250k per annum, no actual application form was received and 100% of funding was requested.

g) Fraserburgh Brownies – Trip to Turriff

Amount requested £170.00 – This application was retrospective and 100% of funding was requested.

7. PROPOSED REPAIRS TO THE SEAWALL AT SCOTSTOWN, BANFF

A report dated 23 June 2015 from the Director of Infrastructure Services had been circulated to ask the Committee to approve a contract and rolling programme of repairs to the seawall at Scotstown

The Committee **agreed**:

1. to delegate authority to the Head of Roads and Landscape Services to award the contract for the repairs, provided the most economically advantageous tender price is no greater than 25% above the estimated value of £445,000 for reconstructing the 40m length of collapsed section of the seawall at Scotstown, and
2. to approve a rolling programme of strengthening works for the remaining 100m of masonry seawall over the following three years subject to the availability of funding at an estimated total cost of £390,000 over the three years.

Councillor Tait **entered his dissent** in terms of Standing Order 9.1.

8. PLANNING APPLICATIONS FOR DECISION FOLLOWING DEFERRAL FOR SITE VISITS

The following planning applications were considered following a visit to the site by Members of the Committee on 14 July 2015 and dealt with as recorded in Appendix A to this minute.

A	Reference No APP/2014/4071	Planning Permission in Principle for Erection of Dwellinghouse at Land to the North of Cranna Bridge, Easter Corskie, Aberchirder
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B	Reference No APP/2014/3420	Full Planning Permission for Erection of 1 Wind Turbine (Hub Height 55.3m) Total Height 79.6m and Ancillary Infrastructure, Land at Culvie Hill, Aberchirder
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9. LOCAL REVIEW BODY (LRB) - REVIEW DECISION NOTICE

A) REFERENCE NO LRB 270 – PLANNING REFERENCE NO BB/APP/2014/0263 - FULL PLANNING PERMISSION FOR ERECTION OF 1 WIND TURBINE (HUG HEIGHT 24.6M, TOTAL HEIGHT 35 M) AND ASSOCIATED INFRASTRUCTURE

A Local Review Body Decision Notice dated 15 May 2015 had been circulated giving details of the decision by the LRB in relation to the above planning application.

The Committee **noted** the decision of the LRB to agree with the determination reviewed by it and to refuse Full Planning Permission in accordance with the Appointed Officer's decision.

10. 20, 22 LOW STREET, BANFF

A report dated 02 July 2015 from the Director of Infrastructure Services had been circulated to ask the Committee to make a recommendation to Full Council.

The Committee **agreed to recommend to Full Council**, that the Planning and Building Standards Service commence compulsory purchase proceedings in relation to 20, 22 Low Street, Banff.

APPENDIX A**PLANNING APPLICATIONS FOR CONSIDERATION/DECISION****8A REFERENCE NO APP/2014/4071****PLANNING PERMISSION IN PRINCIPLE FOR ERECTION OF DWELLINGHOUSE AT LAND TO THE NORTH OF CRANNA BRIDGE, EASTER CORSKIE, ABERCHIRDER**

Applicant: David Beckley

With reference to Branch 16A of the Minute of Meeting of 16 June, 2015 and following a visit to the site by Members of the Committee on 14 July 2015, the Committee resumed consideration of a report from the Director of Infrastructure Services seeking determination of the above application by the Area Committee.

The Committee **agreed**, in the event of a) adequate demonstration, through a flood risk assessment, that the site is not at an unmanageable risk of flooding, b) satisfactory demonstration that the site can be adequately serviced in relation to foul water drainage arrangements, and c) satisfactory conclusion of developer obligations, to delegate the application to the Head of Planning and Building Standards to approve on appropriate conditions including, in particular, the recommended link footway.

The Committee's reason for departure from the valid Local Development plan was that, while it did not comply fully with Policy 3, Housing in the Countryside, the site was appropriate for the proposed development and the development would not have any detrimental effect on the surrounding area.

8B REFERENCE NO APP/2014/3420**FULL PLANNING PERMISSION FOR ERECTION OF 1 WIND TURBINE (HUB HEIGHT 55.6 METERS) TOTAL HEIGHT 79.6 METERS AND ANCILLARY INFRASTRUCTURE AT LAND AT CULVIE HILL, ABERCHIRDER**

Applicant: Culvie Hill Renewables, Muirden, Turriff
Agent: Muirden Energy LLP, Muirden, Turriff

With reference to Branch 16E of the Minute of Meeting of 16 June, 2015 and following a visit to the site by Members of the Committee on 14 July 2015, the Committee resumed consideration of a report from the Director of Infrastructure Services seeking determination of the above application by the Area Committee.

The Committee **agreed** to delegate the application to the Head of Planning and Building Standards to approve on appropriate conditions.

The Committee's reason for departure from the valid Local Development plan was that the proposed wind turbine on its own would not contribute significantly to the cumulative effect of wind turbines in the area and would not have a detrimental impact on the amenity of the area.