

ABERDEENSHIRE COUNCIL

BUCHAN AREA COMMITTEE

BUCHAN HOUSE, PETERHEAD, 21ST JUNE 2016

Present: Councillors S Pratt (Chair), L Pirie (Vice Chair), A Allan, E Chapman, A Gardiner, J Ingram, F McRae, T Malone, N Smith and S Smith

Apology: Councillor A Buchan

Officers: Chris White, Buchan Area Manager (Business Services); Lauren Cowie, Senior Solicitor – Governance (Business Services); Alan Davidson, Senior Planner (Infrastructure Services); Fiona Reid, Planner (Infrastructure Services); Jessica Scott, Environment Planner (Infrastructure Services); Paul Finch, Principal Engineer (Infrastructure Services); Suzanne Robertson, Business Development Executive (Infrastructure Services); Rachael Goldring, Learning Estates Team Leader (Education and Children's Services); Steph Swales, Community Planning Officer (Business Services); Maureen Stephen, Community Planning Officer (Business Services); and Theresa Wood, Area Committee Officer (Business Services)

1. DECLARATIONS OF MEMBERS' INTERESTS

There were no intimations of Declarations of Interest.

2(a) STATEMENT ON EQUALITIES

In making decisions on the following items of business, the Committee **noted** the requirement, 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

3. MINUTE OF MEETING OF 31ST MAY 2016

The Minute of the Meeting of 31st May 2016 had been circulated and was **approved** subject to the following amendment –

Item 9 – Fraserburgh, Peterhead and Ellon to Aberdeen Strategic Transport Study - Recommendation (4a) –

- (a) that 'Options 1 & 2 – Road' be taken forward as the preferred options, and that in particular Option 1 be further explored

to be amended to read as follows -

- (a) that 'Package 1 - Road and Bus' and 'Package 2 – Rail and Bus' be taken forward as the preferred options, and that in particular Package 1 be further explored

4. DEFERRED PLANNING APPLICATION

With regard to the deferred planning application, the Committee had before them a report by the Director of Infrastructure Services on a planning application for determination in terms of the Town and Country Planning (Scotland) Acts 1972 and 1997 and **agreed** to dispose of the application as detailed in Appendix A attached to this Minute.

- (a) APP/2016/0666 Full Planning Permission for Alterations and Extension to Dwellinghouse without compliance with Condition 1 (Trees) of Approved Planning Permission Reference APP/2014/1541 at Cuero Montoya, St Fergus

5. NEW PLANNING APPLICATION

The Committee had before them a report by the Director of Infrastructure Services on a planning application for determination in terms of the Town and Country Planning (Scotland) Acts 1972 and 1997 and **agreed** to dispose of the application as detailed in Appendix B attached to this Minute.

- (a) APP/2016/0377 Full Planning Permission for Erection of Dwellinghouse at Land at Blackhills, Mintlaw

6. HISTORIC ASSET MANAGEMENT PROJECT – COMPLETION OF DATABASE AND COMMENCEMENT OF MAINTENANCE PROGRAMME

A report by the Director of Infrastructure Services Committee had been circulated advising that a Historic Asset Management Project had been established to undertake an asset review of all non-operational heritage assets in the ownership or under the management of Aberdeenshire Council. The Committee was asked to note the work undertaken to date and to provide comments to the Infrastructure Services Committee on the proposed methodology to determine future works.

The Committee **agreed** -

- (1) to note the completion of a database of 'Council owned or managed non-operational heritage assets',
- (2) to note the proposed prioritisation methodology to determine future works,
- (3) to note the prioritised list of works for all 'Council owned or managed non-operational heritage assets', including those to be undertaken this financial year,
- (4) to note that a project update will be submitted annually to Area Committee's, and
- (5) to provide the following comments to the Infrastructure Services Committee –
 - (a) to request that the various Stone Circles throughout Buchan, within the Council's ownership, be considered for addition to the list,
 - (b) to request that the Gadle Braes Well, in Peterhead, be considered for addition to the list,
 - (c) that the spelling for 'Crimond' be corrected throughout the lists,
 - (d) to note that the Cruden Old Parish Church Graveyard and Cruden War Memorial are not in Cruden Bay, and
 - (e) to note that the Peterhead Station Road Cemetery is known, locally, as 'Constitution Street Cemetery'

7. PROGRAMME FOR ACTIVE TRAVEL AND ROAD SAFETY

A report by the Director of Infrastructure Services had been circulated advising that a report covering the proposed programme for Active Travel and Road Safety had been presented to the Infrastructure Services Committee, and that Officers had been instructed to take proposals specific to each area to the relevant Area Committee for consideration and comment.

The Committee **agreed** to provide the following comments to Infrastructure Services Committee:-

- (1) in relation to the list of 'Buchan - Main Projects' –
 - (a) to recommend approval of the list as proposed, and
 - (b) 'Station Road, Mintlaw – New Pedestrian Crossing' – that Officers provide local Members with a plan showing where the pedestrian crossing will be situated and provide confirmation of when the works are to be carried out
- (2) in relation to the list of 'Buchan – Reserve Projects' –
 - (a) 'Rocksley Drive, Boddam – Footway' – to request that this project be progressed as a matter of priority,

- (b) 'U33B – Passing Places' – that Officers provide local Members with a plan and more detail in relation to this proposal,
- (c) 'U66B Lendrum Terrace, Boddam – Install Vehicles Restraint System' – that Officers provide local Members with more detail in relation to this proposal,
- (d) 'B9030 The Square, Stuartfield – Traffic Calming' – that Officers provide local Members with more detail in relation to the problems being experienced and with more detail in relation to the actual proposal, and
- (e) 'Broad Street, Peterhead – Junction Improvement' – that Officers provide local Members with a plan showing which junction on Broad Street

8. ECONOMIC ACTIVITY IN BUCHAN – APRIL 2015 TO MARCH 2016

A report by the Director of Infrastructure Services had been circulated providing the Committee with an annual report on economic development related actions specific to the Buchan area.

The Committee **agreed**:-

- (1) having heard that Tour Companies are in consultation regarding the possibility of including the Peterhead Prison Museum in their tour itineraries, that Officers proactively consider other areas of interest within Buchan that could be explored further and included within tour itineraries to promote tourism and the area of Buchan in general,
- (2) in referring to the report, to request 'actual figures' in relation to the unemployment rate (benefit claimants),
- (3) to request detail of the five attractions featured as part of the 'Coastal Trail' as referred to in the report, and
- (4) to request that Officers contact the Aberdeen and North East Scotland Ancestral Tourism Partnership with a view to assisting them source a suitable venue in Buchan for their yearly promotion event

9. INFRASTRUCTURE SERVICES (HOUSING) QUARTERLY PERFORMANCE EXCEPTION REPORTING JANUARY TO MARCH 2016 (ABERDEENSHIRE PERFORMS)

A report by the Director of Infrastructure Services had been circulated providing the Committee with the Service's performance measures for January through to March 2016.

The Committee **agreed** to raise the following queries:-

- (1) Performance Measures 2a&b – Aberdeenshire and Buchan – Average days taken to complete non-emergency response repairs – commentary reads – "Areas with higher averages, such as Banff and Buchan and Buchan, have a higher proportion of more complex jobs with a longer target time" – to request an explanation as to why Buchan's jobs are more complex,

- (2) Performance Measures 2a&b – Aberdeenshire and Buchan – Average re-let time in days – commentary reads – “All areas, aside from Buchan and Formartine, are performing better than target, with the performance in both these areas being heavily influenced by a few hard to let sheltered housing properties” – Officers were requested to provide detail of where the hard to let properties are sited and provide an explanation as to what the Council is doing to rectify this problem, and
- (3) Performance Measure 2c – Buchan – Gross rent arrears as a percentage rent due – commentary reads – “There have however been difficulties due to the retender of the external debt collection contract, and it has not been possible to pass debts that have reached this stage to the debt collector since January 2016” – an explanation as to why this is was requested

10. SCHOOL ROLL CAPPING: STUARTFIELD SCHOOL

A report by the Director of Education and Children’s Services had been circulated asking that the Committee provide comment to the Education, Learning and Leisure Committee on the proposal to cap Stuartfield School at 5 classes at a roll of 125.

Following a lengthy discussion, Councillor Gardiner, seconded by Councillor Chapman, moved that the proposal to cap Stuartfield School be declined on the basis that this does not send a positive message to housing developers and families wishing to stay or move to the village of Stuartfield.

As an amendment, Councillor Ingram, seconded by Councillor Allan, moved that (1) the Stuartfield School roll be capped at 125 with effect from August 2016 for an initial period of one year, subject to (a) Officers giving consideration to a longer term solution, and (b) Officers considering the rezoning of the primary schools within the Mintlaw network, and to request that Officers report back to the Committee within 6 months providing an update, (2) that out of zone pupils should not be accepted into Stuartfield School unless a sibling already attends the school, and (3) to request that Officers work closely and keep the Head Teacher and Parent Council updated

The Members of the Committee voted:-

- | | | |
|-------------------|-----|---------------------------------------------------------------------|
| for the motion | (3) | Councillors Chapman, Gardiner and Malone |
| for the amendment | (7) | Councillors Pratt, Pirie, Allan, Ingram, McRae, N Smith and S Smith |

The amendment was therefore carried and the Committee **agreed** to recommend to the Education, Learning and Leisure Committee:-

- (1) that the Stuartfield School roll be capped at 125 with effect from August 2016 for an initial period of one year, subject to –
 - (a) Officers giving consideration to developing a longer term solution, and
 - (b) Officers giving consideration to the rezoning of the primary schools within the Mintlaw network

and to request that Officers report back to the Committee within 6 months providing an update in respect of these issues with a view to ensuring sufficient capacity within the school in future years,

- (2) that out of zone pupils should not be accepted into Stuartfield School unless a sibling already attends the school, and
- (3) to request that Officers work closely and keep the Head Teacher and Parent Council updated in terms of developments

11. EDUCATION AND CHILDREN'S SERVICES QUARTERLY PERFORMANCE EXCEPTION REPORTING, JANUARY-MARCH 2016 (ABERDEENSHIRE PERFORMS)

A report by the Director of Education and Children's Services had been circulated providing the Committee with the Service's performance measures for January through to March 2016.

The Committee **agreed** to raise the following query:-

- (1) Performance Measure 4.4b - % satisfaction with Libraries – commentary reads – “This seasonal variation may be attributable to factors such as winter weather related cancellation of events and services” – Members were of the opinion that the winter weather did not justify such a statement and requested a fuller explanation

12. BUCHAN LOCAL COMMUNITY PLAN 2016-2019

A report by the Director of Business Services had been circulated asking that the Committee provide feedback on the content of the Buchan Local Community Plan 2016-2019 for consideration by the Local Community Planning Group.

The Committee **agreed** to provide the following feedback:-

- (1) page 6 – Political – to note that some of the detail is historical,
- (2) page 6 – Social – Welfare Reform – to note that whilst changes are in place for benefit claimants they should not necessarily be seen as negative,
- (3) page 6 – Environmental – this section needs to reflect that works have now started to ensure that better infrastructure in place on the A90,
- (4) page 6 – Environmental – to question if 'Intensive fishing and land use harming' is in fact an accurate statement,
- (5) page 7 – Organisational – the rationalisation of the Police and Fire Services is now complete, therefore it may be more appropriate to make reference to the proposal to locate a new Police Station in the town centre of Peterhead,
- (6) page 9 – Healthier Communities – to question if the number of people using swimming pools dropped due to scheduled closures or if there was another reason,
- (7) page 9 – Healthier Communities – to note that according to Police statistics, underage drinking in Buchan is in fact on the decrease,
- (8) page 9 – Healthier Communities – to highlight the importance of obtaining figures from the Citizens Panel for Buchan only and not Aberdeenshire as a whole, given this is a Buchan Plan,

- (9) page 11 – Stronger Communities – to note that it would be helpful to have figures for Scotland overall as a comparator figure,
- (10) page 12 – Stronger Communities – to request that fuller detail be provided in terms of what is being done to develop life and employability skills,
- (11) page 24 – Public Safety – having noted that many of the actions have been assigned to the Buchan Community Safety Group, to request that the Buchan Community Planning Officer comes along to a meeting of the Buchan Safety Group to discuss funding in light of ongoing cuts, and
- (12) page 24 – Public Safety - in terms of the action ‘Encourage participation in local events and activities which will enable migrant communities to integrate with their communities’, to request that ‘Third Sector Groups’ be added to the column ‘Who will do it’

13. AREA COMMITTEE BUDGET: AREA INITIATIVES FUND

A report by the Director of Business Services had been circulated seeking the Committee’s approval for the allocation of the Area Initiatives Budget as recommended in the appendix attached to the report.

The Committee **agreed:-**

- (1) to approve the allocation of the Area Initiatives Fund 2016/2017 as detailed in Appendix C attached to this Minute, and
- (2) to request a report back in 6 months in respect of the assistance given to the local groups, and of any success in sourcing funding for those groups who received a nil allocation and for those who received less than the amount requested

14. COMMUNITY COUNCIL PROJECT GRANT APPLICATIONS – MINTLAW, LONGSIDE AND BUCHAN EAST COMMUNITY COUNCILS

A report by the Director of Business Services had been circulated asking that the Committee consider three separate awards to Community Council’s from the Community Council Project Grant.

The Committee **agreed:-**

- (1) to award up to £126 to Mintlaw Community Council towards the cost of purchasing signs,
- (2) to award up to £729 to Longside Community Council towards the cost of purchasing a public notice board and two community benches, and
- (3) to award up to £500 to Buchan East Community Council, on behalf of St Fergus Hall Committee, towards the cost of purchasing and installing a defibrillator at St Fergus Hall

APPENDIX A

DEFERRED PLANNING APPLICATION

- (a) **Full Planning Permission for Alterations and Extension to Dwellinghouse without compliance with Condition 1 (Trees) of Approved Planning Permission Reference APP/2014/1541 at Cuero Montoya, St Fergus**
For: Mrs Mary Brown, Cuero Montoya, St Fergus
Per: Lachlan MacDonald, 44 Strichen Road, Fraserburgh
Reference No: APP/2016/0666

The Committee **agreed** to Grant Full Planning Permission subject to:-

- (1) the requirement for the fence to be no more than 1.8m above floor level,
- (2) the requirement for a landscaping plan to be submitted showing a row of mature trees to be planted along the boundary with the neighbouring property, and that the plan define the maturity level of the trees, and
- (3) the following condition –
 - (a) The proposed fencing shall be carried out in accordance with the approved plans and the extension shall not be brought into use unless the approved fencing has been erected in this form, unless otherwise agreed in writing with the Planning Authority. The fence shall thereafter be permanently retained as such

Reason: In the interests of the privacy of the neighbouring property.

Reason for Decision –

It is considered that the proposal complies with the relevant policies and supplementary guidance contained in the Aberdeenshire Local Development Plan 2012.

APPENDIX B

NEW PLANNING APPLICATION

(a) **Full Planning Permission for Erection of Dwellinghouse at Land at Blackhills, Mintlaw**

For: Northern Peat & Moss Company, Blackhills, Kininmonth, Peterhead
Per: Baxter Design Company (Old Deer) Ltd, Adenhall, 9 Kirkgate, Old Deer, Peterhead

Reference No: APP/2016/0377

The Committee **agreed** that authority to Grant Full Planning Permission be delegated to the Head of Planning and Building Standards subject to:-

- (a) The revocation of application APP/2015/2362 and
- (b) The following conditions -
- (1) The residential curtilage shall be that shown on the site plan drawing no. 131207-01 marked in dark green only. For the avoidance of doubt, notwithstanding the provisions of Part 1 Class 3 of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011, no development is permitted within the light green area marked to the south without an express grant of planning permission from the Planning Authority.
- Reason: To control the extent of the residential curtilage in the interests of visual amenity and to define clearly the residential curtilage in respect of permitted development rights, to allow effective control and safeguards against possible development which could be built without the benefit of planning permission contrary to the rural nature of the land.
- (2) The development shall be served in accordance with the approved drawings and the following details:
- (a) Prior to occupancy of development, Off-Street parking for 3 cars, surfaced in hard standing materials must be provided within the site.
- (b) Prior to commencement of development, visibility splays measuring 2.4m by 120m to be formed on either side of the junction of the vehicular access with the public road. The visibility splays so formed shall thereafter be kept free of all permanent obstructions above adjacent carriageway level.
- (c) Prior to occupancy of development a refuse bin uplift store area shall be constructed (behind any visibility splay) so as to be accessible for bin uplift & shall be secure enough to prevent empty bins from being wind-blown. Details must be submitted to Roads Development for approval.

- (d) Prior to occupancy of development a suitable vehicle turning area, measuring not less than 7.6m x 7.6m, must be formed within the site to enable all vehicle movements onto or from the public road to be carried out in a forward gear.

Reason: In order to ensure that the development is served by an appropriate standard of access and associated servicing in the interests of road safety.

- (3) Prior to the construction of the dwellinghouse an Energy Statement applicable to that dwellinghouse must be submitted to and approved in writing by the Planning Authority, including the following items:
 - (i) Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into the development.
 - (ii) Calculations using the SAP or SBEM methods, which demonstrate that the reduction in carbon dioxide emissions rates for the development, arising from the measures proposed, will enable the development to comply with the Council's Supplementary Planning Guidance on Carbon Neutrality in New Developments. (In this case the development will achieve at least a Bronze Active rating under Section 7 of the Building Standards Technical Handbook).

The development shall not be occupied unless it has been carried out in full accordance with the approved details in the Energy Statement. The carbon reduction measures shall be retained in place and fully operational thereafter.

Reason: To ensure this development complies with the on-site carbon reductions required in Scottish Planning Policy and the Council's Supplementary Planning Guidance - Carbon Neutrality in New Developments.

- (4) The dwellinghouse hereby approved shall not be occupied until a connection to the public water supply has been secured and implemented.

Reason: The planning application states that the water supply will be public; to ensure a wholesome water supply (in terms of quality and quantity) in the interests of public health.

Reason for Decision

It is considered that the dwellinghouse would be an appropriate addition to the locality and there is merit in repositioning the dwellinghouse in terms of landscape impact. In this instance the development is appropriate to support as a departure from Policy 3: Development in the countryside and SG Rural Development 1: Housing and business development in the countryside.

APPENDIX C

AREA COMMITTEE BUDGET: AREA INITIATIVES FUND

Large Projects –

Peterhead Boxing Club – Renovate ex RAF Community Centre	£13,707.50
St Fergus Hall Committee – Exterior refurbishment of hall	£13,707.50
Old Deer Community Association – Formation of path between Old Deer/Stuartfield/Aden	£28,585.00
	£56,000.00

Small Projects –

Mintlaw Public Hall – Hall refurbishment/kitchen upgrade	£ 3,000.00
Friends of Aden Country Park – Art in the Park Project	£ 2,800.00
New Deer Community Association – Decorate & re-floor main entrance/renovate fire escape	£ 3,000.00
Strichen Gala Committee – Heating system for Ritchie Hall	£ 4,000.00
Auchnagatt Village Hall – Renew internal and external lighting	£ 3,000.00
Maud Allotment Group – Provide sheds for allotment holders	£ 2,400.00
Stuartfield Public Hall – Insulate hall roof	£ 2,000.00
Strichen Community Park – Town House – Develop Business Plan towards LEADER application	£ 3,800.00
New Pitsligo Village Hall – Decoration of hall, stairwell, upper hall and kitchen	£ 3,000.00
Buchanhaven Harbour Trust – Boat shed project	£ 3,000.00
	£30,000.00