

ABERDEENSHIRE COUNCIL

BANFF AND BUCHAN AREA COMMITTEE, FRASERBURGH COMMUNITY AND SPORTS CENTRE, MACONOCHE PLACE, FRASERBURGH 22 NOVEMBER 2016

Present: Councillors J B Cox (Chair), C C Buchan, R A Cassie, M A Findlater, M J Roy, I S Tait, I W Taylor, B A Topping and M Watt.

Officers: Miss M J Cardno, Area Manager; Miss F M Stewart, Solicitor; Mr J Martin, Senior Planner; Mr J D Naismith, Principal Engineer; Mr M Paterson, Learning Estates Research and Analysis Project Officer; Mr K Regan, Principal Landscape Services Officer; Mr A Whyte, Head of Property and Facilities Management; Ms J Burgess, Team Leader (Estates), Miss Rhoda Banfro, Trainee Solicitor and Mrs E M Farquhar, Area Committee Officer.

In attendance: Mr C Ewing – Scottish Fire and Rescue Service.

ANNOUNCEMENT

The Chairman, on behalf of the Committee welcomed Councillor Iain Taylor to his first Area Committee meeting as newly elected Member for Ward 1 – Banff and District.

1. DECLARATION OF MEMBERS' INTERESTS

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

No declarations of Interest 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 Items 9 and 10 of the business on the grounds that these items involved the likely disclosure of exempt information of the class described in Paragraphs 8 and 9 of Part 1 of Schedule 7A of the Act.

3. MINUTE OF MEETING OF 01 NOVEMBER 2016

The minute of meeting of 01 November 2016 had been circulated.

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

4. LIST OF OUTSTANDING BUSINESS AT 22 NOVEMBER 2016

The list of outstanding business at 22 November 2016 had been circulated.

The Committee **noted** the Outstanding Business List.

5. SCOTTISH FIRE AND RESCUE SERVICE (SFRS) PERFORMANCE REPORT JULY-SEPTEMBER 2016

A joint report from the Local Senior Officer SFRS and the Director of Business Services had been circulated to inform Members of how the Scottish Fire and Rescue Service is performing locally in Banff and Buchan against key performance measures and associated targets as set out in the Aberdeenshire Local Fire and Rescue Plan 2014-2017 and the Banff and Buchan Local Community Plan 2016-2017.

The Committee congratulated the officer on the improved performance and asked that he convey the thanks of the Area Committee to the local SFRS officers. Thereafter, the Committee **noted** the terms of the report.

The Chairman, on behalf of the Area Committee, congratulated Crew Manager Kevin Smith who was recently awarded the Sheriff's Award for Bravery for his part in the rescue of a woman from a sinking car at Macduff Harbour on 26 October 2015.

6. 2016 BASED SCHOOL ROLL FORECASTS

A report dated November 2016 from the Director of Education and Children's Services had been circulated to advise the Committee on the school role forecasts for all primary and secondary schools in Aberdeenshire and to provide comments to the Education, Learning and Leisure Committee.

The Committee **agreed** to make the following comments for consideration by the Education, Learning and Leisure Committee:-

1. The forecast for Whitehills should be reviewed as the demographic trend is towards a reduction in older people and a greater number of younger families moving into the village,
2. Rathen should be continually reviewed as it is consistently over capacity,

7. BANFF: REQUEST FOR A FUNFAIR TO VISIT GREENBANKS OPEN SPACE

A report dated 08 November 2016 from the Director of Infrastructure Services had been circulated to ask the Committee to approve a request for a funfair on the Greenbanks open space in Banff.

The Committee **agreed**, subject to the grant of a Public Entertainment Licence, to approve the request to extend the original Christmas event to include a funfair on the Greenbanks open space in Banff as part of the Christmas Reindeer Parade event between 16 December and 18 December 2016.

8. PLANNING APPLICATION FOR CONSIDERATION

The following planning application was considered and dealt with as recorded in Appendix A to this minute.

| | | |
|---|----------------------------|---|
| A | Reference No APP/2016/2260 | Full Planning Permission for Formation of Campsite, Siting of 6 Yurts, 3 Wigwams, 2 Portable Toilets, Erection of Reception Building with Camping Facilities, Associated Parking and Access at Beech Glen, Silverstripe, Forglen, Turriff |
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9. LEASE OF INDUSTRIAL FACTORY UNIT 5-7 FRASEBURGH HARBOUR INDUSTRIAL ESTATE, SOUTH HARBOUR ROAD, FRASERBURGH

A report dated 24 October 2016 from the Director of Business Services had been circulated to ask the Committee to approve the lease of the above Industrial Factory Unit.

The Committee **agreed** to approve the lease of Unit 5-7 Fraserburgh Harbour Industrial Estate to the tenant, and on the conditions, stated in the report.

10. DEPOT STRATEGY, WEST SHORE DEPOT, FRASERBURGH NEW WELFARE, GARAGE AND EXTERNAL YARD – CONTRACT 17977

A report dated 03 November 2016 from the Director of Business Services had been circulated to ask the Committee to approve the work outlined in the report.

The Committee **agreed**:-

1. to approve the scope of work as outlined in the report,,
2. the overall cost as outlined in the report, and
3. that officers utilise delegated powers to accept the resulting offer, subject to Aberdeenshire Council's Financial Regulations 5.3.19(vi).

The Committee further **agreed**:

1. that an informal meeting be set up with Ward 3 members to discuss asset management issues within Fraserburgh,
2. following the informal meeting, if required, a formal report be submitted to the Area Committee,
3. that a copy of the updated list of assets for disposal be sent to Members,
4. that officers endeavour to have a more proactive approach in relation to what will happen to surplus buildings, after they are vacated, to avoid boarded-up properties.

APPENDIX A**PLANNING APPLICATION****8A REFERENCE NO APP/2016/2260****FULL PLANNING PERMISSION FOR FORMATION OF CAMPSITE, SITING OF 6 YURTS, 3 WIGWAMS, 2 PORTABLE TOILETS, ERECTION OF RECEPTION BUILDING WITH CAMPING FACILITIES, ASSOCIATED PARKING AND ACCESS AT BEECH GLEN, SILVERSTRIPE, FORGLEN, TURRIFF**

Applicant: Mrs M Shand, Beechglen, Silverstripe, Turriff
Agent: Cooper & MacGregor LLP, 86 Summerhill Crescent, Aberdeen

A report dated 07 November 2016 from the Director of Infrastructure Services had been circulated seeking determination of the above planning application by the Area Committee.

The Committee heard Mr R McGregor, applicant's agent, in support of the application and Mr Lex Allison, objector to the application.

Thereafter Councillor Roy, seconded by Councillor Cox **moved** that the application be deferred for a site visit to enable Members of the Committee to assess the potential impact on the amenity of the proposed development on that site.

As an amendment Councillor Watt, seconded by Councillor Topping **moved** that the application be delegated to the Head of Planning and Building Standards to refer to the Infrastructure Services Committee with the Area Committee's recommendation to approve on the following conditions:-

1. The yurts and wigwams hereby approved shall be used solely as temporary holiday letting accommodation and for no other purposes whatsoever including use as permanent residential units without the prior express grant of planning permission by the planning authority. The yurts and wigwams shall not be occupied as a person's sole or main residence and shall not be occupied for any purposes for a continuous period of four weeks each calendar year, such period beginning from the first Saturday of each November. The owner of the yurts and wigwams shall maintain an up-to-date register of the name of each occupier of the yurts and wigwams on the site and of their main home address and shall make this information available at all reasonable times to the planning authority.

Reason: The occupation of the yurts and wigwams as permanent residential units would not comply with the Council's Local Development Plan policies regarding residential development in this area.

2. No works in connection with the development hereby approved shall commence unless a scheme for the storage of recycling, food waste and residual waste within the application site has been submitted to and approved in writing by the planning authority. The reception building, yurts and wigwams shall not be brought into use unless the scheme has been provided in accordance with the approved details. Once provided, the recycling, food waste and residual waste storage scheme shall thereafter be retained in perpetuity.

Reason: To ensure that suitable provision is made for the storage of communal recycling, food waste and residual waste bins.

3. Prior to commencement of development, calculations to support the sizing of the soakaway must be submitted to and approved in writing by the planning authority.

Thereafter, the reception building, yurts and wigwams hereby approved shall not be brought into use unless the proposed foul and surface water drainage systems have been provided in accordance with the approved plans. The foul surface water drainage systems shall be permanently retained thereafter in accordance with the approved maintenance scheme.

Reason: In order to ensure that adequate drainage facilities are provided, and retained, in the interests of the amenity of the area.

4. Prior to the installation of any yurts or wigwams in 'zone 1', 'zone 2' or 'zone 3', full details including the design, external finish, specification and colour of the yurts and wigwams shall be submitted to and approved in writing by the planning authority. The details should include the proposed ground form/treatment immediately surrounding it. Thereafter, the development shall be carried out in complete accordance with the approved details.

Reason: In the interests of the appearance of the development and the visual amenity of the area, to ensure that the external finishing materials are appropriate to the character of the area.

5. Prior to occupancy of development, off-street parking for 26 cars, surfaced in hard standing materials must be provided within the site.

Reason: In the interests of road safety.

6. The proposed development shall be connected to the public water supply as indicated in the submitted application and shall not be connected to a private water supply without the separate express grant of planning permission by the planning authority.

Reason: To ensure the long term sustainability of the development and the safety and welfare of the occupants and visitors to the site.

The reason for approval of the application would be that the proposed development accords with the development plan and there are no material considerations which indicate that permission should be refused.

Members of the Committee voted:-

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| For the motion | 4 | Councillors Cox, Findlater, Roy and Taylor |
| For the amendment | 4 | Councillors Buchan, Cassie, Topping and Watt |
| No vote | 1 | Councillor Tait |

The Chairman **exercised his casting vote** in favour of the motion and **declared the motion carried** in the following terms:-

that the application be deferred for a site visit to enable Members of the Committee to assess the potential impact on amenity of the proposed development on that site.