

ABERDEENSHIRE COUNCIL

MARR AREA COMMITTEE

ALFORD PUBLIC HALL, ALFORD, 14 FEBRUARY, 2017

Present: Councillors M F Ingleby (Chair), J J Latham (Vice Chair), P J Argyle, G Blackett, K L Clark, L Clark, G E Petrie, M M Stewart, and J Webster.

Officers: J Clark, Area Manager (Marr); M Stewart, Planning Manager, A Moir, Principal Asset Management Officer, N Stewart, Team Manager (Development Management), J Joss, Senior Solicitor; and J McRobbie, Committee Officer.

In Attendance: C Westwood, Station Manager, 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. Cllr Argyle declared a non-pecuniary interest in Item 6, as Chair of the Strategic Development Authority, and continued to participate in the meeting.

2A. STATEMENT ON 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; and
- (2) where an Equality Impact Assessment was provided, to consider its contents and take those into account when reaching a decision.

2B. RESOLUTION

The Committee **agreed**, in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the meeting for Item 8 of the business on the grounds that they involve the likely disclosure of exempt information of the class described in Paragraph 9 of Part 1 of Schedule 7A of the Act.

Item No
8

Paragraph No of Schedule 7A
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3. MINUTE OF MEETING OF MARR AREA COMMITTEE OF 24 JANUARY, 2017

The Committee had before them, and **approved** as a correct record, the Minute of Meeting of the Committee of 24 January, 2017.

4. SCOTTISH FIRE AND RESCUE SERVICE – MARR AREA COMMITTEE PERFORMANCE REPORT FOR Q3 – 1ST OCTOBER – 31 DECEMBER, 2016

There had been circulated a joint report from the Local Senior Officer, Scottish Fire & Rescue Service (Aberdeenshire and Moray) and the Director of Business Services providing information on how the Scottish Fire and Rescue Service had performed locally in Marr against key performance measures and associated targets, as set out in the Aberdeenshire Local Fire and Rescue Plan 2014 – 2017 and the Marr Multi-Member Ward Plan 2015 – 2016, for the period 1 October, to 31 December, 2016.

The Station Manager provided the Committee with an overview of local performance in the Marr Area, including, reference to an improving recruitment situation; CPR training; a new exercise class at Huntly Fire Station, under the guise of Grampian Cardiac Rehabilitation Association; Ballater Resilience Plans; a Crash Live event to be held in Banchory on 16 February, and another in Aboyne on a date still to be confirmed; and statistics in relation to accidental dwelling fires, non-fatal fire casualties, road traffic collisions, deliberate fires.

The Station Manager then responded to questions from Members and there was discussion of accidental dwelling fires in the Marr Area; the impact of the downturn in the oil and gas industry on recruitment; the nil report of wild fire incidents; amended support arrangements proposed following a recent wilful fire-raising incident at Glen O'Dee; Fire & Rescue's participation in schools careers events; local business support for retained fire-fighters from amongst their staff; a recent fire related in Braemar; the recruitment for a Community Support Officer, jointly funded with Aberdeenshire Council, NHS Grampian, and Police Scotland; how the initial direction of any emergency call determined the make-up of any rescue team sent in response; and requests from Community Councils to be provided with regular briefings on the work of Fire & Rescue in the Marr Area.

Having heard further from the Area Manager of recent discussions at the Community Planning Partnership of developing a newsletter, for Community Councils, covering local issues, including Fire & rescue, the Committee **agreed**:-

- (1) to acknowledge the performance report for the period 1 October to 31 December, 2016;
- (2) to commend the CPR training provided for Marr Community Planning Group and its offer to all local groups;
- (3) to commend the use of fire stations for rehabilitation exercise sessions (Grampian Cardiac Rehabilitation Association);
- (4) to welcome the continuing improvement in recruitment;
- (5) to note the invitation to attend Crash Live in Banchory on 16 February and at Aboyne on a date still to be determined;
- (6) that additional information on Community Support Officer role be circulated when an appointment is confirmed;
- (7) to commend Fire & Rescue staff on their response to recent fatal house fire in Braemar, expressing sympathy with the bereaved family; and

- (8) to welcome the proposal to share Community Planning Fire & Rescue updates with Community Councils via a newsletter.

5. AREA COMMITTEE BUDGET APPLICATION

With reference to the Minute of Meeting of 22 November, 2016, (Item 7, Page 841) there had been circulated a report dated 27 January, 2017 by the Director of Infrastructure Services, seeking consideration of an application from Tarland Curling Club for funds from the Area Committee Budget, and advising that the application could be considered as there had been amendments to some awards previously made, with applicants having accessed alternative funding sources.

Members heard from the Area Manager that assurances had been received that the requested funds would be used by 31 March, 2017, including for the purchase of materials for the proposed works, (a) for electrical repairs, (b) for external works to the Club House, and (c) for internal repairs to the Club House,

The Committee **agreed** to award Tarland Curling Club an award of up to £756.93 towards the remedial work, internal and external, at the Club House.

6. PLACES, PEOPLE AND PLANNING – A CONSULTATION ON THE SCOTTISH PLANNING SYSTEM

There had been circulated a report dated 16 January, 2017 by the Director of Infrastructure Services requesting Members' consideration of the four key areas and accompanying questions of a Scottish Government Consultation paper, "Places, People and Planning – A consultation on the future of the Scottish planning system, with comments to inform the Infrastructure Service's Committee's formation of an Aberdeenshire response to the consultation.

Having heard further from the Planning Manager as to the four main strands: (a) Making Plans for the Future; (b) People Make the System Work; (c) Building More Homes and Delivering Infrastructure; and (d) Stronger Leadership and Smarter Resourcing, the Committee **agreed** that the undernoted responses to questions, and general comments, be submitted to the Infrastructure Services Committee on 16 March, 2017, for consideration:

- (1) Section 1 – Making Plans for the Future – responses to questions:
Question 1 – Yes;
Question 2 - No – already have in the Strategic Development Authority in North East Scotland;
2(d) - Works well in North East Scotland and should be retained;
2(e) - Should not be centralist control – regional variations are appropriate and should be retained;
Question 4 - Yes simplify, could be up to 10 year review but also needs to be responsive to changes;
Yes – there is scope to review plan between cycles; and
No - keep supplementary guidance;
Question 5 (e) – Cannot see any merit in mediation if democratic processes are being involved; and
Question 8 – Delivery can only be driven to a certain extent – market forces also need to apply; and

Comments:

- Very unclear consultation document;

- We do not need consistency across Scotland – national standards may not be locally appropriate;
- Needs greater clarity on links to Community Planning;
- Good to see plan led system and trust local authorities to develop the plan;
- Commend retention of Strategic Development Plans, has worked well in North East as strong regional, partnership approach, based on democratic representation;
- Retain Strategic Development Planning Authority (SDPA) – do not require to establish new partnerships when SDA is in place and working;
- Make case for exception for North East Scotland, as is proposed for Islands;
- Concern raised around centralisation - need more emphasis on local place making;
- Stress need to retain Main Issues report as community engagement tool (can be evidenced as compared to engagement in draft Plans);
- Welcome proposed streamlining of examination process of local plans;
- Concern too much emphasis on National Planning Framework – plan should reflect local issues/ need/ regional identity;
- Concern on Paragraph 1.35- “professional mediation” – takes away from local democracy;
- Community input needs support and training with Scottish Government providing resource to deliver; and
- Welcome potential additional flexibility of timescale for the planning review cycle – should be responsive to needs – 5 years plus forward look – 10 years is too long unless there is flexibility to change if required;

(2) Section 2 - People Make the System Work – response to questions

Question 9 – Yes, but only if supported and relationship to Councillor produced plans is clarified;

Question 11 – Keen to engage with those groups but how;

Question 13 – Yes – charge to cover costs of resourcing which will still apply – may encourage more active engagement in initial application to resolve issues of contention;

Question 15(c) - Interface with democratically elected process needs to be considered – training is valuable but not convinced should be a matter of pass or fail;

Question 15(d) - Ministers are not politicians, not professional planners – what is the merit of increasing their involvement in appeal decisions; and

Question 16 – The same moderations/ modifications are required in other diverse areas of Scotland – different challenges and opportunities in North East Scotland also required to be considered.

Comments:

- Welcome principle of Local Place Plans – but issues to be resolved regarding community capacity/ fit with democratic process/ conflicts in community/ (figure 1, p21)/ question “sign off” mechanism/ “responsibility to prepare” onerous and impractical for community groups;
- Para 2.12 – The report does not say how “greater level of need” will be determined;
- Para 2.14-15 - Community Councils already have active role in development plans;
- Welcome intent greater consultation with/ engagement with young people, but report does not provide guidance as to how this should be undertaken;
- Third party right of appeal would not work under the current process;
- Concern that major applications could be dealt with under delegated powers;
- Para 7. 2.43 – Ministers should not decide as they are not professionally qualified in planning;
- Paragraph 2.44 – Accept that training is already necessary for Councillors and is provided. Unclear what implications will be if Councillors fail test and implications for local democracy; and
- Paragraph 2.47 – North East Scotland should be afforded “different set of issues” standing as has been proposed for the Islands.

- (3) Section 3 - Building More Homes and Delivering Infrastructure – response to questions:
Question 17 – No – not convinced this will be an improvement;
Question 18 – No- Unclear how you can do this in a volatile market;
Question 19. - Yes – but only one of many factors in delivery process;
Question 21 - No – needs to be assessed locally;
Question 22. - Not necessarily – possibly Community Planning representation could be included in existing Strategic Development Authority;
Question 24 – No – needs to be assessed/ collected and applied locally – no merit in national body; and
Question 25 - Definitely not – Building Standards alone cannot deliver on all Climate Change ambitions – should be retained and encouraged.

Comments:

- Concern if housing numbers are set centrally but remain for Council to deliver;
- Housing numbers need to be determined locally;
- Whilst infrastructure first would be ideal, but developers often prove resistant (For example, the recent court challenge to Strategic Transport Fund proposals);
- Suggests all problems/ delays are due to the planning processes and authorities – but sometimes there are factors out with local government’s control, such as developers, local market forces, and the economy;
- Land banking is necessary, to some extent, for businesses to safeguard their future plans; compulsory acquisition of land could have negative impact;
- Paragraph 3.19 – Welcome proposed extension of Scottish Land Fund beyond the purchase of estates;
- Paragraph 3.33 – A national body should not be determining local infrastructure needs and priorities;
- Paragraph 3.42 – Any Infrastructure levy, as opposed to developer contribution, may be seen as an additional land tax levy. Funds should relate to specific local needs and not used to cover expenditure elsewhere – and unclear who would police it; and
- Paragraph 3.50 – Challenge strongly suggestions that Climate Change policies have no added value – Unclear if there evidence to substantiate this. It would not be possible to remove this direction from planning and rely on Building Standards to compensate.

- (4) Section 4 - Stronger Leadership and Smarter Resourcing – Response to questions:
Question 29 - Performance improvement does not rest solely in local authority’s ownership;
Question 30 – Quality outcomes, rather than speed of processing, should be the main focus;
Question 31. – Welcome in principle – no fast track applications; and
Question 32 – Would need to be some upper limits on scale – and for appropriate developments only.

Comments:

- Paragraph 4.1 - Aberdeenshire Planners are already visionary and do not “micro manage” the built environment;
- Paragraph 4.16 - Broadly welcome proposed fee changes – but not to the rate of profit, relate merely to cost recovery;
- No merit in “fast tracked” applications at an additional charge;
- Performance should look at outcomes not just speed of processing;
- Paragraph 4.19 – Performance is not always in planning authority’s control, developers have a role too; there is no indication how this aspect is to be addressed;
- Paragraph 4.19 – There is no demonstrated need for a national performance coordinator;

- Paragraph 4.23, 1st and 2nd bullet points - Concerns regarding permitted development rights for digital communication technology and projects reducing climate change producing emissions – concerned if includes windfarms and scale would need to be clarified.; and
- Paragraph 4.27 – The focus should be on quality outcomes; process accurately and to a high standard, not just timescale.
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7. LOCAL REVIEW BODY DECISION NOTICE - 336 – SITE TO NORTH WEST OF CAIRNIE SCHOOL, BIN AVENUE, CAIRNIE, HUNTLY

There had been circulated and was **noted** Local Review Body decision notice 336, dated 23 January, 2017, which indicated that the Local Review Body had agreed to reverse the decision reviewed by it and grant Full Planning Permission for the erection of three dwelling houses, including changes of use of land to domestic garden ground at site to the North West of Cairnie School, Bin Avenue, Cairnie, Huntly, all subject to conditions as detailed in paragraph 4 of the decision notice.

8. TOWN AND PUBLIC HALL ASSET STRATEGY

There had been circulated a report dated 6 January, 2017, by the Director of Business Services, requesting Members' consideration, for comment to the Business Services Committee in due course, of various proposals to advance the Council's Town and Public Hall Asset Strategy, including (a) proposed negotiations with local management committees to introduce formal lease and management arrangements; (b) closure of properties, in Banff, Laurencekirk, and Stonehaven, deemed to be surplus to requirements; (c) the declaration of two halls in Huntly, already closed, as surplus to requirements; and (d) refurbishment proposals for properties in Banchory, Fraserburgh, Huntly, Inverurie, Macduff, and Stonehaven in the context of pressures on the Capital Plan.

Having heard further from the Principal Asset Management Officer, the Committee **agreed** that the following comments be made to the Business Services Committee:

- (1) That consideration be given to the critically important social role of town and public halls, not just an assessment based on footfall or finances, in any asset strategy;
- (2) That rurality, and the availability of alternative, accessible accommodation, needs to be considered;
- (3) If the pursuit of formal management committee roles fails, or proves unacceptable to the existing groups, this should be returned to the appropriate area committee for consideration;
- (4) That reliance on new "community campuses" needs to be reassessed; some are already oversubscribed, and as geographic hubs, these are also not the solution to support smaller rural communities;
- (5) That there should be greater awareness of user groups in consultation with communities on any changes proposed; a single voice should not be heard above the collective;
- (6) That Local Members should be involved in consideration of the detailed refurbishment proposals for Banchory;
- (7) That consideration should be given to external improvements of buildings such as Stewart's Hall, Huntly; and
- (8) That officers must ensure that ward councillors are kept aware of, and involved in, proposals going forward in their area.

Councillor Presiding over meeting

Cllr Moira Ingleby

Print Name

Signature

7 March 2017

Date