

ABERDEENSHIRE COUNCIL

BANFF AND BUCHAN AREA COMMITTEE, COUNCIL CHAMBER, COUNTY HALL, LOW STREET, BANFF 10 OCTOBER 2017

Present: Councillors, A Kille (Chair) R A Cassie, J B Cox, M A Findlater, D Mair (by Skype in accordance with Paragraph 5.1.8 of Part 1 of the Scheme of Governance), G D Reynolds, M J Roy and B A Topping

Apologies: Councillor C C Buchan

Officers: Miss M J Cardno, Area Manager; Mr J Savege, Chief Executive; Miss F M Stewart, Solicitor; Mr J Martin, Senior Planner; Ms A Murphy, Senior Planner; Mr S Newlands, Planner; Mr J D Naismith, Principal Engineer; Mrs E Reid, Team Leader, Affordable Housing; Mr D Kemp, Principal Building Surveyor and Mrs E M Farquhar, Area Committee Officer

1. DECLARATION OF MEMBERS' INTERESTS

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

Councillor Topping **declared an interest** in Item 6, as he is a Director of Osprey Housing, but did not leave the room and continued to take part in the discussion and decisions in relation to this item.

2. RESOLUTION

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 10 and 11 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 19 SEPTEMBER 2017

The minute of meeting of 19 September 2017 had been circulated.

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

4. LIST OF OUTSTANDING BUSINESS AT 10 OCTOBER 2017

A list of outstanding business at 10 October 2017 had been circulated.

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

5. BANFF AND MACDUFF, NEW SPORTS AND COMMUNITY FACILITIES UPDATE

A report dated 25 September 2017 from the Director of Education and Children's Services had been circulated to update the Committee on the new Banff and Macduff Sports Facilities.

The Committee:

1. **noted** the performance of the new sport and community facilities in Banff and Macduff and congratulated the officers involved in their success so far, and
2. **agreed** that an informal meeting be arranged to enable Members to have further discussion on:
 - a) potential extension to the opening hours of the café in Macduff,
 - b) details of the financial management of the facilities rather than just visitor numbers,
 - c) plans for future investment,
 - d) how many people are re-signing up for Active Aberdeenshire after their initial membership has lapsed,
 - e) breakdown of income from the pool, the gym, the café, other facilities,
 - f) how the snagging issues are being dealt with i.e. what is routine maintenance and what will still be covered by the contractor,
 - g) lessons learned so far,
 - h) information on the feedback sheets that customers have filled in.

6. STRATEGIC HOUSING INVESTMENT PLAN 2018-2023

Councillor Topping **declared an interest** in Item 6, as he is a Director of Osprey Housing, but continued to take part in the discussion and decisions in relation to this item.

A report dated 07 September 2017 from the Director of Infrastructure Services had been circulated to ask the Committee to provide comments, on the draft Strategic Housing Investment Plan 2018-2023, to Communities Committee.

The Committee **noted** the terms of the report and **agreed** to make the following comments:

1. More social rented accommodation is needed in Banff and Buchan due to high demand.
2. The process in the delivery of projects needs to be expedited.
3. Welcome the fact that Banff and Buchan is seen as a priority.

7. HOUSING SERVICE QUARTERLY PERFORMANCE EXCEPTION REPORTING APRIL-JUNE 2017 (ABERDEENSHIRE PERFORMS)

A report dated 21 September 2017 from the Director of Infrastructure Services had been circulated to advise the Committee of how the Services is performing against key performance measures and associated targets as set out in the infrastructure Services Business Plan

The Committee **noted**:

1. the positive performance achieved April-June 2017,
2. those measures where performance was below expectations April-June 2017,
3. the publication of the complete April to June 2017 Performance Report along with a reporting rationale document for all indicators,
4. that the Committee receive regular updates following the roll out of Universal Credit in the area, the impact on the service and on members of the public, and
5. that information be provided to Members on the eligibility criteria for SEEP 2 funding.

8. INFRASTRUCTURE SERVICES QUARTER 1 2017-2018 PERFORMANCE REPORT AND SERVICE PLAN UPDATE (ABERDEENSHIRE PERFORMS)

A report dated 22 September 2017 from the Director of Infrastructure Services had been circulated to provide the Committee with a summary of performance for Quarter 1 (April-June 2017) and with an update on progress with actions in the Infrastructure Services service plan 2017-2020.

The Committee **agreed**:

1. to **note** the good performance achieved April-June 2017 (Quarter 1),
2. to **note** those measure where performance was below expectations April-June 2017,
3. to **note** the publication of the complete April-June 2017 performance report and service plan update on ward pages and on the Council's website,
4. to **note** the progress made with the actions set out in the Infrastructure Services Service Plan 2017-2020,
5. that the Director continue to report, by exception, to Committee quarterly on performance measures against service objectives and six monthly on progress in delivering all aspects of the service plan,

6. the following comments/questions to the service:-

- a) Indicator 1.7 – Percentage of domestic noise complaints settled with attendance not under Part V of the Antisocial Behaviour, etc (Scotland) Act 2004 - that consideration be given to providing an icon on the “report it” tab of the website to allow people to report noise nuisance.
- b) Indicator 5.9 – Attend potentially dangerous buildings within four hours of notification – information required on the procedure in relation to attending potentially dangerous buildings within four hours of notification,
- c) Indicator 1.5 – Environmental Health percentage of the number of premises that are “broadly compliant” in terms of food safety as set against the number of premises subject to intervention in the 6 or 12 months category – information required on the 35% of people who did not comply and whether they did improve or had action taken against them.

9. PLANNING APPLICATION FOR CONSIDERATION

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

A	Reference No APP/2017/1435	Full Planning Permission for Change of Use of Depot and Formation of 15 Pitch Caravan Park for Gypsies/Travellers and Erection of Amenity Block at Boyndie Depot, Boyndie, Banff
B	Reference No APP/2017/1981	Full Planning Permission for Erection of Dwellinghouse (Amended House Type) at Merryhillock Residential Development, Plot 68. Phase 2, Fraserburgh

10. DURNHYTE CARE HOME – REWIRE 2017/2018

A report dated 29 September 2017 from the Director of Business Services had been circulated to ask the Committee to approve the business case for the rewiring of Durnhythe Care Home.

Councillor Findlater, seconded by Councillor Topping **moved** that consideration of the report be deferred until the next meeting of the Committee to enable Councillors to receive further information on the current state of the building, its expected lifespan, the cost benefit of carrying out this work as the building had previously been deemed “not fit for purpose”.

As an amendment, Councillor Cassie, seconded by Councillor Roy **moved** that the Committee approve the business case for the rewire of Durnhythe Care Home and delegate authority to award the contract to the Head of Property and Facilities Management.

Members of the Committee voted:

For the motion	6	Councillors Cox, Findlater, Kille, Mair, Reynolds and Topping
For the amendment	2	Councillors Cassie and Roy

The Chairman **declared the motion carried** in the following terms:

that consideration of the report be deferred until the next meeting of the Committee to enable Councillors to receive further information on the current state of the building, its expected lifespan, the cost benefit of carrying out this work as the building had previously been deemed “not fit for purpose”.

11. COMMUNITY ASSET TRANSFER: PORTSOY GYM, ALL-WEATHER SURFACE COURT AND ON-SITE PARKING

A report dated 12 September 2017 from the Director of Education and Children’s Services had been circulated to ask the Committee to consider a Community Asset Transfer application.

The Committee **agreed**:

1. to endorse the business plan provided by Portsoy District Community Association (PDCA) as providing a sound basis for the future management of Portsoy gym, all-weather surface court and on-site parking at Seafeld Terrace, Portsoy,
2. that PDCA is an appropriate body with which to enter into a Community Asset Transfer agreement,
3. in principle, to enter into a Community asset Transfer with PDCA subject to the requirements of the “Disposal of Land by Local Authorities (Scotland) Regulations 2010” and EU State Aid Rules, and
4. in principle, that the site be transferred by way of sale, as detailed in the report, on the basis outlined in the Business Plan and instruct officers to conclude negotiations in a timely manner.

Councillor Presiding over meeting

Print Name

Signature

Date

APPENDIX A

PLANNING APPLICATIONS FOR CONSIDERATION

9A REFERENCE NO APP/2017/1435

FULL PLANNING PERMISSION FOR CHANGE OF USE OF DEPOT AND FORMATION OF 15 PITCH CARAVAN PARK FOR GYPSIES/TRAVELLERS AND ERECTION OF AMENITY BLOCK AT BOYNDIE DEPOT, BOYNDIE, BANFF

Applicant: Boyndie Depot Developments
Agent: Mantell Ritchie

A report dated 22 September 2017 from the Director of Infrastructure Services had been circulated seeking the views of the Area Committee to be provided to Full Council.

The Committee heard Mr Michael Ritchie, applicant's agent, in support of the application.

Thereafter, the Committee **agreed** to make the following comments to Full Council:

"The Area Committee recognises the need for this facility and broadly supports the project but has concerns regarding road safety in relation to the access to the site."

9B REFERENCE NO APP/2017/1981

FULL PLANNING PERMISSION FOR ERECTION OF DWELLINGHOUSE, (AMENDED HOUSE TYPE) AT MERRYHILLOCK RESIDENTIAL DEVELOPMENT, PLOT 68, PHASE 2, FRASERBURGH

Applicant: Claymore Homes

A report dated 25 September 2017 from the Director of Infrastructure Services had been circulated seeking the determination of the above application by the Area Committee.

The Committee heard Mr Alistair Rennie, applicant, in support of the application and Mr Martin Sinclair on behalf of Mr George Jack, objector to the application.

Thereafter, the Committee **agreed to defer** consideration of the application until the next meeting of the Committee to enable Members of the Committee to visit the site of the application to allow them to better understand the comparable size of the site, and the potential for overlooking/loss of amenity for the adjoining property.