

**ABERDEENSHIRE COUNCIL**

**SPECIAL MEETING OF THE  
BUCHAN AREA COMMITTEE**

**BUCHAN HOUSE, PETERHEAD, 3<sup>RD</sup> JULY 2018**

- Present:** Councillors N Smith (Chair), D Beagrie (Vice Chair), A Allan, M Buchan, S Calder, A Fakley, J Ingram and I Sutherland
- Apologies:** Councillors A Buchan, A Simpson and S Smith
- Officers:** Chris White, Buchan Area Manager (Business Services); Iain Meredith, Solicitor - Governance (Business Services); Sally Wood, Senior Planner (Infrastructure Services); John Todd, Planner (Infrastructure Services); and Theresa Wood, Area Committee Officer (Business Services)
- In Attendance:** PC Kevin Fife, Police Scotland

**1. DECLARATIONS OF MEMBERS' INTERESTS**

The Chairman asked Members if they had any interests to declare in terms of the Councillors Code of Conduct. No interests were declared.

**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

**2(b) RESOLUTION**

The Committee **agreed** in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, to exclude the public from the meeting during consideration of the items specified below so as to avoid disclosure of exempt information of the class described in the undernoted paragraphs of Part 1 of Schedule 7A of the Act.

**Item No**  
5

**Paragraph No of Schedule 7A**  
6

### 3. DEFERRED PLANNING APPLICATIONS

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

- (a) APP/2018/0246 Planning Permission in Principle for Erection of Dwellinghouse at Plot 1, Land at Ravenscraig, Inverugie, Peterhead
- (b) APP/2018/0247 Planning Permission in Principle for Erection of Dwellinghouse at Plot 2, Land at Ravenscraig, Inverugie, Peterhead

### 4. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 APPLICATION FOR GRANT OF TEMPORARY PUBLIC ENTERTAINMENT LICENCE – REQUEST FOR EXTENSION OF OPERATING HOURS FOR FUNFAIR AT NEW DEER SHOW

A report by the Director of Business Services had been circulated asking the Committee to consider an application for the grant of a temporary public entertainment licence relating to the operation of a Funfair at New Deer Show.

The Committee was advised that the applicant was not in attendance but wished to operate as follows –

Friday, 20<sup>th</sup> July 2018 – 1700-2130 hours  
Saturday, 21<sup>st</sup> July 2018 – 1100-0100 hours  
Sunday, 22<sup>nd</sup> July 2018 – 1100-1800 hours

A letter of representation, dated 2<sup>nd</sup> July 2018, was tabled from Police Scotland recommending that the request be Granted subject to the licenced hours for Saturday, 21<sup>st</sup> July 2018, being terminated at 2200 hours. However, the representative from Police Scotland gave a further update and advised that Police Scotland would, in fact, have no objection to the request being Granted subject to the licenced hours for Saturday, 21<sup>st</sup> July 2018, being terminated at 0030 hours.

Having taken the representation from Police Scotland into consideration, the Committee **agreed** that the extension of the hours of operation be Granted as follows –

Friday, 20<sup>th</sup> July 2018 – 1700-2130 hours  
Saturday, 21<sup>st</sup> July 2018 – 1100-0030 hours  
Sunday, 22<sup>nd</sup> July 2018 – 1100-1800 hours

**5. CIVIC GOVERNMENT (SCOTLAND) ACT 1982  
APPLICATION FOR GRANT OF TEMPORARY PUBLIC ENTERTAINMENT LICENCE –  
IN RESPECT OF A STUNT SHOW EVENT TO BE HELD  
AT CRIMOND AIRFIELD ON 11<sup>TH</sup> JULY 2018**

A report by the Director of Business Services had been circulated asking that the Committee, as Licensing Authority, consider an application for the grant of a Temporary Public Entertainment Licence to operate a Stunt Show at Crimond Airfield on 11<sup>th</sup> July 2018, and the representation made in respect thereof and determine whether the application should be granted or refused.

The Monitoring Solicitor confirmed that although cited to attend the Applicant was unable to be in attendance, and referred Committee Members to the detail of the supporting information as submitted by the Applicant.

The Chairman then invited the representative for Police Scotland to outline the reasons for the representation as submitted by Police Scotland, dated 1<sup>st</sup> June 2018.

Following a discussion, Councillor Ingram moved as a motion, seconded by Councillor Allan, that the Temporary Public Entertainment Licence to operate a Stunt Show at Crimond Airfield on 11<sup>th</sup> July 2018 be Granted subject to the conditions as recommended by Environmental Health and Police Scotland in addition to the standard conditions that automatically attach to such licences.

As an amendment, Councillor Sutherland, seconded by Councillor Calder, moved that the Temporary Public Entertainment Licence to operate a Stunt Show at Crimond Airfield on 11<sup>th</sup> July 2018 be Refused on the grounds that the applicant is not a fit and proper person.

The Members of the Committee voted:-

For the motion	(6)	Councillors N Smith, Beagrie, Allan, M Buchan, Fakley and Ingram
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For the amendment	(2)	Councillors Calder and Sutherland
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The motion was therefore carried and the Committee **agreed** that the Temporary Public Entertainment Licence to operate a Stunt Show at Crimond Airfield on 11<sup>th</sup> July 2018 be Granted subject to the conditions as recommended by Environmental Health and Police Scotland in addition to the standard conditions that automatically attach to such licences.

## APPENDIX A

### DEFERRED PLANNING APPLICATIONS

- (a) **Planning Permission in Principle for Erection of Dwellinghouse at Plot 1, Land at Ravenscraig, Inverugie, Peterhead**  
For: ARD Properties Ltd, 2 St Andrew Street, Peterhead  
Per: David Gauld Architect, 6 Whitehouse Way, Gorebridge  
**Reference No: APP/2018/0246**

The Senior Planner reiterated the concerns highlighted by the Flood Risk and Coastal Protection Team, and concluded that although the Planning Service is comfortable with the principle of development on this site the flooding issues remain unresolved.

Following a detailed discussion, Councillor Beagrie moved as a motion, seconded by Councillor Calder, that Planning Permission in Principle be Granted subject to relevant planning conditions given that the remedial works carried out by Roads in relation to the flooding issues has improved the situation and outweighs the risk of any further flooding on the proposed site.

As an amendment, Councillor Ingram, seconded by Councillor M Buchan, moved that Planning Permission in Principle be Refused for the reasons stated in the report.

The Members of the Committee voted:-

For the motion (5) Councillors N Smith, Beagrie, Calder, Fakley and Sutherland

For the amendment (3) Councillors Allan, M Buchan and Ingram

The motion was therefore carried and the Committee **agreed**:-

- (1) that Planning Permission in Principle be Granted subject to relevant planning conditions, and
- (2) their reason for departing from the Local Development Plan as follows –
  - (a) the remedial works carried out by Roads in relation to the flooding issues has improved the situation and outweighs the risk of any further flooding on the proposed site

- (b) **Planning Permission in Principle for Erection of Dwellinghouse at Plot 2, Land at Ravenscraig, Inverugie, Peterhead**  
For: ARD Properties Ltd, 2 St Andrew Street, Peterhead  
Per: David Gauld Architect, 6 Whitehouse Way, Gorebridge  
**Reference No: APP/2018/0247**

The Senior Planner reiterated the concerns highlighted by the Flood Risk and Coastal Protection Team, and concluded that although the Planning Service is comfortable with the principle of development on this site the flooding issues remain unresolved.

Following a detailed discussion, Councillor Beagrie moved as a motion, seconded by Councillor Calder, that Planning Permission in Principle be Granted subject to relevant planning conditions given that the remedial works carried out by Roads in relation to the flooding issues has improved the situation and outweighs the risk of any further flooding on the proposed site.

As an amendment, Councillor Ingram, seconded by Councillor M Buchan, moved that Planning Permission in Principle be Refused for the reasons stated in the report.

The Members of the Committee voted:-

For the motion (5) Councillors N Smith, Beagrie, Calder, Fakley and Sutherland

For the amendment (3) Councillors Allan, M Buchan and Ingram

The motion was therefore carried and the Committee **agreed**:-

- (1) that Planning Permission in Principle be Granted subject to relevant planning conditions, and
- (2) their reason for departing from the Local Development Plan as follows –
  - (a) the remedial works carried out by Roads in relation to the flooding issues has improved the situation and outweighs the risk of any further flooding on the proposed site