

ABERDEENSHIRE COUNCIL

KINCARDINE AND MEARN'S AREA COMMITTEE ON 07 DECEMBER 2021

ALL ATTENDANCE BY SKYPE

- Present:** Councillors Wendy Agnew (Chair), Ian Mollison (Vice-Chair), Alastair Bews, George Carr, Sarah Dickinson, Alison Evison, Provost Bill Howatson, Jeff Hutchison, Colin Pike and Dennis Robertson.
- Apologies:** Councillors Sandy Wallace and Leigh Wilson.
- Officers:** Bruce Stewart (Area Manager, Kincardine and Mearns), Emma Storey (Area Committee Officer, Kincardine and Mearns), Martin Ingram (Senior Solicitor, Legal and People), David Armitage (Policy Manager, Transportation), James Martin (Early Years' Service Manager), Elaine McCarron (Team Leader, Property & Facilities) and John Gahagan (Estates Manager, Property and Facilities).

1. DECLARATION OF MEMBERS' INTERESTS

The Chair asked Members if they had any interests to declare in terms of the Councillors' Code of Conduct and the following declarations were intimated –

Councillor Evison made a transparency statement in respect of Item 6 regarding the Roads Policy report by having a connection to this item by virtue of being an owner of an electric car having applied the objective test concluded no interest to declare.

Councillor Evison made a transparency statement in respect to Item 8 regarding the Licensing Board Review by having a connection to this item by virtue of being a member of Unite the Union however having applied the objective test concluded no interest to declare.

Councillor Carr - Item 5 being a member of the Fireballs Association and having applied the objective test had concluded that he would withdraw and not take part.

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

2B. 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	Paragraph No of Schedule 7A
9	9
10	9

3. MINUTE OF MEETING OF KINCARDINE AND MEARN'S AREA COMMITTEE OF 16 NOVEMBER 2021

The Committee had before them and **approved** as a correct record the Minute of Meeting of the Committee of 16 November 2021.

4. STATEMENT OF OUTSTANDING BUSINESS

A report by the Director of Environment and Infrastructure Services had been circulated presenting the outstanding business for Kincardine and Mearns Area Committee as of 7 December 2021.

The Committee **noted** at this time that no further update was provided for the item on the Statement of Outstanding Business.

5. AREA COMMITTEE BUDGET

A report was circulated by the Director of Environment and Infrastructure Services as two applications had been submitted for funding from the Kincardine and Mearns Area Committee Budget from Auchenblae Primary School and Stonehaven Fireballs Association.

The Area Manager introduced the report, outlined both applications and welcomed any questions. Members fully discussed the applications and the Committee **agreed** to approve the grants from the Area Committee Budget as follows:

- a) Auchenblae Primary School - £2,610.00 and
- b) Stonehaven Fireballs Association - £4,000.00.

6. ROADS POLICY REVIEW UPDATE

A report was issued by the Director of Environment and Infrastructure Services presenting initial proposals for four new policies;

- Street Naming and Numbering,
- Signing of Tourist Facilities and Attractions,
- Enforcement of Roads and Traffic Authority Powers, and
- Electric Vehicle Charging,

and invited the Committee to contribute to their development by providing comments on the draft policies.

The Policy Manager introduced the report and welcomed questions. Members queried a number of points throughout the policies and sought clarification on an infringement, “Flow of water or of filth, dirt or other offensive matter from, or any percolation of water through, the land onto the road.”. The Policy Manager confirmed with reference to overflow, land would also include buildings.

The Committee **agreed** to consider the policies and provided the following comments to the Environment and Infrastructure Services Committee on the draft policies appended to the report.

Street Naming and Numbering Policy
The Committee supported clear and simple signage as suggested in the policy with less clutter is the recommendation.
The Committee supported the idea of using the local primary school children to suggest new names for streets.
The Committee suggested at 6.1 – “when the need to rename a street/building”, clarity as to whether the request would have to come from a resident or someone else?
The Committee suggested that if Ward Councillors do not agree with Community Councillors suggestions regarding street naming then that should come to Area Committee, policy currently states the opposite.
The Committee suggested at page 43 “one hundred years”, consistency with numerical numbering.
The Committee suggested at page 43 “the proposed may be contentious”, the inclusion of the word name after proposed.

Signing of Tourist Facilities and Attractions Policy

The Committee suggested with the increase in Staycation and motor homing, the policy should also include the provision of aires and specifically mention them.

The Committee asked with regards to Coastal and Castle trails, who pays for the brown signs?

The Committee with reference to page 79, “full control of signs will remain with the Council applicants...” requires some clarity and a full stop in relation to ownership.

The Committee suggested a timeframe for the removal of brown signs, once a building is no longer in use and who is responsible for that.

The Committee asked that once brown signs are removed, who is the owner as there could be retail value? The Committee suggested clarity should be contained within the policy.

The Committee at page 68, 3.2, eligibility for Tourist Signs, “must be open to the public without prior booking, with this now changing as a result of Covid suggested the policy reflect this change.

The Committee suggested a reporting tool for the removal of brown signs.

The Committee suggested clarification in the policy regarding signage and reducing signage clutter as more businesses potential open and have a need for a sign, resulting in multiple signs on a road. Who do we prioritise?

Enforcement of Roads and Traffic Authority Powers Policy

The Committee with reference to page 101 “Infringement” welcomed the policy, S.99 “water onto the land”. In relation to an overflow, would this include a building? .

The Committee raised the ongoing issues with abandoned vehicles, trailers and caravans and suggested that the policy should address these issues.

Electric Vehicle Charging Policy

The Committee suggested the need for ongoing maintenance of charging points

The Committee suggested charging points should be well lit and that safety should be a priority for users.

The Committee suggested the policy needed to take account of those with only on street parking, and that referencing “it was similar to getting fuel” was inaccurate and suggested more charging points to reflect those users. This would incorporate the need for users with a disability.

The Area Committee had mixed views regarding electric charging points, with some suggesting this is a commercial business and suggesting we should not be providing charging points, it should be noted this was the minority view.

7. EARLY LEARNING AND CHILDCARE ADMISSIONS POLICY

A report was circulated by the Director of Education and Children’s Services seeking the Committee’s comments on the new Early Learning and Childcare Admissions (ELC) Policy which takes account of Early Learning and Childcare Expansion and Aberdeenshire Council’s commitment to support the best start in life for all those residing in Aberdeenshire.

The Committee **provided** the following comments on the proposed new Early Learning and Childcare Admissions (ELC) Policy at Appendix 1 to Education and Children’s Services on 27 January 2022, as follows;

1. The Committee suggested clarity around the wording regarding entry date into nursery once a child turns 3 years of age, implies they can start the Monday following their third birthday,
2. The Committee suggested clearer language around ante pre-school, suggest we attribute ages and clearer terminology,
3. The Committee requested further information relating to page 134, all approved delay entry to primary one, what percentage of those that apply for delayed entry become approved entry and how do they become a supported application? The Committee suggested advice to parents regarding delayed entry be included in this document, and
4. The Committee requested figures and a briefing note to be shared with the Area Committee on Delayed Entry.

8. ABERDEENSHIRE LICENSING BOARD REVIEW OF STATEMENT OF LICENSING PRINCIPLES 2022-2025

A report was submitted by the Clerk to the Aberdeenshire Licensing Board to make the Committee aware of the Aberdeenshire Licensing Board's review of their Statement of Licensing Principles under the Gambling Act 2005 which requires to be reviewed every three years.

The Committee **acknowledged** the review of the Aberdeenshire Licensing Board's Statement of Licensing Principles ("Statement") under the Gambling Act 2005 and **provided** the following comments to the Licensing Board;

1. The Committee suggested the prefix attributed to Councillors names be removed,
2. The Committee suggested premises that require a late license also look to provide free transport home to staff, and
3. The Committee suggested on page 181, amend the Policy Committees names (5,6 and 10) to their new Committee titles.

9. STONEHAVEN HARBOUR – RNLI LEASE

An exempt report was issued by the Director of Business Services with regard to Officers seeking approval to enter into a grassum lease with The Royal National Lifeboat Institution (RNLI) for land currently leased to Survitec Survival Craft Ltd (Survitec) in Stonehaven harbour.

The Committee **agreed** to authorise the Head of Legal and People to proceed with the following transactions:

- a) to accept an assignation from Survitec to RNLI of the existing lease detailed within the report over the property shown at Appendix 1; and
- b) to accept a surrender of the lease detailed in the report from RNLI over the property shown at Appendix 1; and
- c) to enter into a grassum lease with RNLI on the terms outlined, subject to receipt by the Council of the capital payment detailed within the report.

10. MILL OF BENHOLM – NESPT

A report was issued by the Director of Business Services on the update on discussions between North East of Scotland Preservation Trust (NESPT) and Council Officers concerning disposal of Mill of Benholm to NESPT.

The Committee **agreed** to note the current situation with Mill of Benholm and instructed Officers to report back to Committee with an update on the discussion concerning the disposal.