

ABERDEENSHIRE COUNCIL

MARR AREA COMMITTEE

ONLINE MEETING, 21 JUNE 2022

Present: Councillors R Withey (Chair), G Blackett (Vice Chair), S Brown, Y Chou Turvey, E Durno, J Goodhall, A Kloppert, L Knight, G Petrie and A Ross.

Officers: J Clark, Area Manager (Marr); R Johnson, Director of Business Services; L Findlay, Director of Education and Children's Services; A Wood, Director of Environment and Infrastructure Services; A Dick, Social Work Manager (Corporate Parenting); N Mair, Senior Planner; C Dalziel, Affordable Housing Officer; C Reid, Quantity Surveying Manager; A Gibbs, Principal Solicitor; and K Macleod, Area Committee Officer (Marr).

1. DECLARATION OF MEMBERS' INTERESTS

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

Councillor Ross stated that she had an interest in Item 12 by virtue of being a referee for The Seed Box but, having applied the objective test, she had concluded that the interest was not substantial therefore she would remain and participate.

Councillor Blackett declared an interest in Item 13 by virtue of being a director of Mid Deeside Community Trust and advised that she would leave the meeting and take no part in the item.

Councillor Brown stated that she had a connection to Item 12 by virtue of previously working for The Seed Box, however it was six years ago and having applied the objective test she concluded she had no interest to declare.

Councillor Brown declared an interest in Item 13 by virtue of being an office bearer of another Mid Deeside Community Trust project and advised that she would leave the meeting and take no part in the item.

2. 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 Integrated 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, that the public and media representatives be excluded from the meeting for the following items of the business on the grounds that they involved the likely disclosure of exempt information of the class described in the relevant paragraphs of Part 1 of Schedule 7A of the Act.

Item No.	Paragraph No. of Schedule 7A
17	8
18	4

3. MINUTE OF MEETING OF MARR AREA COMMITTEE OF 31 MAY 2022

The Committee had before them, and approved as a correct record, the Minute of Meeting of the Committee of 31 May 2022.

4. SCOTTISH FIRE AND RESCUE SERVICE - MARR AREA COMMITTEE PERFORMANCE REPORT FOR 1 JANUARY – 31 MARCH 2022

There had been circulated a joint report by the Local Senior Officer, Scottish Fire and Rescue Service and the Director of Business Services which advised how the Scottish Fire and Rescue Service had performed locally in Marr against key Scottish Fire and Rescue Service priorities and the Marr Multi-Member Ward Plan during the period from January to March 2022.

The Committee **agreed**:-

- (1) to acknowledge the performance report relating to the period and local operational matters arising, together with key resource issues, as detailed within the appendix to the report; and
- (2) to request further information in relation to:-
 - (a) stations which were under establishment – whether this was of particular concern and whether there were any recruitment measures that Members could support; and
 - (b) command structure changes in relation to Huntly and how this would impact future Committee reporting.

5. MARR AREA PLAN 2021-23 PROGRESS ON PROJECTS/ ACTIONS (OCTOBER 2021 – MARCH 2022)

There had been circulated a report dated 30 May 2022, by the Director of Environment and Infrastructure Services, which provided a year-end update on progress made in relation to projects and actions within the Marr Area Plan.

The Area Manager outlined overall progress in delivering the actions as detailed in Section 3.4 of the report.

The Committee **agreed**:-

- (1) to acknowledge progress made in relation to the projects/actions contained within the Marr Area Plan (October 2021-March 2022) which supported the Council Plan;
- (2) to comment on or request further information in relation to the following projects/actions:
 - (a) 3.072 A93 Invercauld Bridge permanent traffic lights and repointing - to request that the project be chased up to ensure it progressed;
 - (b) 2.02 Reduce void turnaround times – further information on examples in Ward 15;
 - (c) 2.16 Digital suitcases project – to query whether the project was being reviewed in light of changes to covid restrictions and whether there was also in-person work on reduction of isolation;
 - (d) 2.014 Delivery of affordable housing in Aboyne – further information on how the houses would be allocated;
 - (e) ‘Parent action’ to be clarified in future reports;
 - (f) 2.07 Greenspaces project – need to consult communities when designating open spaces for biodiversity;
 - (g) 2.10 Banchory football pitch – welcomed progress;
 - (h) 3.20 Deeside Way upgrades – highlighted need to ensure safety of the path between Banchory and Drumoak;
 - (i) 5.04 R100 Programme – highlighted poor access to broadband;
 - (j) 5.05 Climate Ready Strathdon – requested copy of final report;

- (k) 1.10 Care needs in Ballater – requested further background information on the project; and
 - (l) Commended roads and bridges staff on work catching up with maintenance; and
- (3) to instruct the Area Manager (Marr) to continue to present progress reports to the Committee on a six-monthly basis, in line with the Performance Management Framework, evidencing progress and performance with delivery of the Council Plan.

6. BUSINESS SERVICES' AREA COMMITTEE PERFORMANCE INDICATOR REPORT – YEAR-END PROGRESS UPDATE (APRIL 2021 – MARCH 2022)

There had been circulated a report dated 8 June 2022, by the Director of Business Services, which provided an update on progress in relation to Business Services' performance indicators.

The Director of Business Services outlined overall progress; provided further context on a number of measures including in relation to the Contact Centre and council tax and housing benefit claims; advised of plans to break down the property performance measures to an area level; and, as a correction to the report, noted that the 'average number of days: Council tax reduction new claims' measure should show as red.

During discussion, Members welcomed improvements on call centre waiting times and abandonment rates but raised that there were still issues. Members also asked questions in relation to housing benefits claims and Universal Credit, on which plans to hold a workshop session for Elected Members were noted.

The Committee **agreed:-**

- (1) to acknowledge progress made in relation to Business Services performance indicators relating to the Marr Area; and
- (2) to instruct the Director of Business Services to continue to present reports on progress with performance indicators to the Committee on a six-monthly basis, in line with the Performance Management Framework, evidencing progress and performance supporting the Council Plan 2020-22.

7. EDUCATION AND CHILDREN'S SERVICES YEAR-END PERFORMANCE MONITORING REPORT – OCTOBER 2021 TO MARCH 2022 (COUNCIL PRIORITIES: AREA PLAN 2021-2023)

There had been circulated a report dated 20 May 2022, by the Director of Education and Children's Services, which provided an update on progress with Education and

Children's Services' performance indicators for the period from October 2021 to March 2022.

The Director of Education and Children's Services introduced the report and provided further information in relation to Early Years and Childcare; school leavers going into positive destinations; foundation apprenticeships; and Community Learning and Development.

Members commented and asked questions in relation to smaller rural schools and wraparound care, work to encourage young people to consider careers in hospitality, teacher recruitment in shortage subjects, further Early Years and Childcare expansion and recruitment, and foundation apprenticeships. Members also welcomed the number of school leavers securing positive destinations.

The Committee **agreed:-**

- (1) to acknowledge progress made during October 2021 to March 2022 toward achieving the Council Plan Priorities 2020-2022 linked to the Marr Area Plan 2021-2023;
- (2) to request further data on:-
 - (a) Early Years and Childcare staff retention; and
 - (b) a comparison of foundation apprenticeship dropout rates between schools and college; and
- (3) to instruct the Director of Education and Children's Services to continue to present performance reports to the Area Committee on a six-monthly basis, evidencing progress and performance with delivery of the Council Plan linked to the Marr Area Plan.

8. ENVIRONMENT AND INFRASTRUCTURE SERVICES PERFORMANCE UPDATE OCTOBER – END OF MARCH 2022 (ABERDEENSHIRE PERFORMS)

There had been circulated a report dated 1 June 2022, by the Director of Environment and Infrastructure Services, which provided an update on progress in relation to Environment and Infrastructure Services' performance indicators for the period from October 2021 to March 2022.

The Director of Environment and Infrastructure Services introduced the report and highlighted encouraging performance on tenant arrears and average time taken to resolve homeless cases. Further information was provided on measures where there was room for improvement including rent loss due to voids, percentage of householder waste recycled and composted, and several planning service indicators.

Members asked questions in relation to recycling rates and commented on the need to lobby for improved access to high-speed fibre broadband.

The Committee **agreed:-**

- (1) to note performance during the period 1 October 2021 – 31 March 2022;
- (2) to request further information as follows:-
 - (a) an informal briefing from the Digital Engagement Team;
 - (b) any evidence to support increased recycling bin capacity leading to increased recycling rates; and
 - (c) data on the number of compost centres and seasonal garden waste collection points in Aberdeenshire; and
- (3) to instruct the Director of Environment and Infrastructure Services to continue to present performance reports to the Committee on a six-monthly basis in order to evidence progress with the delivery of the actions set out in the Area Plan 2021 – 2022.

9. CORPORATE PARENTING ANNUAL REPORT 2020–21

There had been circulated a report dated 14 March 2022, by the Director of Education and Children's Services, which advised that the Council was required to produce and report annually on its Corporate Parenting Plan. The report presented the progress made by Aberdeenshire Council and partners who worked collaboratively to improve outcomes for care experienced young people.

The Social Work Manager (Corporate Parenting) provided the Committee with background information on the annual report and work to achieve the aims of the Aberdeenshire Corporate Parenting Plan.

Members welcomed the positive report and asked questions in relation to the virtual head teacher, the Aberdeenshire context, and cost of living impacts on foster care.

The Committee **agreed**:-

- (1) to note the update contained within the Corporate Parenting Annual Report 2020/21 and to invite further annual updates; and
- (2) to continue to support the Council's corporate parenting duties which involved listening to the voice of care experienced children and young people and being proactive and determined in efforts to act upon their wishes.

10. PETITION - SPEED LIMIT REDUCTION COVERING THE ENTRANCE/EXIT TO INCHMARLO RETIREMENT ESTATE

There had been circulated a report dated 23 May 2022, by the Director of Environment and Infrastructure Services, which advised the Committee of a petition

which had been received, requesting that the Council consider changing the current 60mph speed limit to 40mph in the area of the Inchmarlo Retirement Estate.

The Committee agreed to hear from Bob Russell, the lead petitioner. Mr Russell addressed the Committee and referred to there being around 200 households on the estate, all using the entrance/exit; increasing use of the access including commercial vehicles; concerns expressed by people having difficulty at the junction; restricted visibility on both sides; and the 60mph speed limit being a safety problem. He then responded to questions, confirming that most residents used their own vehicles or relied on a minibus or taxis, all of which would use the access.

The Committee **agreed**:-

- (1) to note the petition received by the Director of Business Services as described in the report; and
- (2) to instruct a report from the Head of Roads and Infrastructure on the subject matter of the petition.

11. NOMINATION TO CAIRNGORMS NATIONAL PARK AUTHORITY BOARD

There had been circulated a report dated 19 May 2022, by the Director of Environment and Infrastructure Services, which asked the Committee to nominate one Elected Member to the Cairngorms National Park Authority Board.

The Committee **agreed** to nominate Councillor Blackett to the Cairngorms National Park Authority Board.

12. MARR AREA COMMITTEE BUDGET - LARGE GRANT APPLICATIONS

There had been circulated a report dated 30 May 2022, by the Director of Environment and Infrastructure Services, which sought consideration of six applications to the Marr Area Committee Budget Large Project Grant Scheme 2022/23.

The Area Manager introduced the report and responded to questions on the applications.

The Committee **agreed**:-

- (1) to note applications for funding received as detailed in the report;
- (2) the allocation of funding through the Marr Area Committee Large Project Grant Scheme 2022/23 as follows:-
 - (a) Rannes Hall Management Committee – up to £5,000 towards new tables and chairs;

- (b) The Seed Box – up to £5,000 towards establishing a new site near Banchory;
 - (c) Lumphanan Primary Parent Council – up to £5,000 towards new smartboards;
 - (d) Birse Community Trust – up to £4,125 towards condition surveys on Finzean Bucket Mill and Ballogie Soutar's Shop;
 - (e) Feughside Community Council – up to £5,000 towards the cost of a generator and satellite phone for Strachan Hall; and
 - (f) Alford and Donside Heritage Association – up to £5,000 towards the cost of a conservation architect to explore options and produce initial plans and costings for a project to preserve Alford Mart building; and
- (4) that a further call for applications to the Large Project Grant Scheme would be made.

13. MARR AREA COMMITTEE BUDGET – SMALL GRANT APPLICATIONS

There had been circulated a report dated 6 June 2022, by the Director of Environment and Infrastructure Services, which sought consideration of applications for Marr Area Committee Budget funding (Small Grant Scheme) and advised the Committee of awards approved by the Area Manager following consultation with the Chair and Ward Members.

The Committee **agreed**:-

- (1) to approve awards of Area Committee Budget funding (Small Grant Scheme) as follows:-
 - (a) Mid Deeside Community Trust, on behalf of Aboyne Paths and Tracks Group - up to £2,000 towards a planning application for improvements to Castle Wood paths, Aboyne;
 - (b) Spikin Autism and More - up to £1,324 towards providing a short break for local families for whom existing respite care services were not normally accessible; and
 - (c) Huntly Hairst - up to £1,270 towards a Cook Off event as part of Huntly Hairst; and
- (2) to note the following applications approved by the Area Manager following consultation with the Chair and Ward Members as follows:-

- (a) Birse and Ballogie Community Council – up to £238.20 towards the cost of relocation of a public access defibrillator from Butterworth Gallery to Ballogie Nursery; and
- (b) Banchory Bowling Club – up to £2,000 towards the cost of Clubhouse roof repairs.

14. COMMUNITY COUNCIL FUNDING 2022/23

There had been circulated a report dated 6 June 2022, by the Director of Environment and Infrastructure Services, which explained that the Council provided an annual administration grant to community councils towards their operating costs. The Committee was asked to consider options for the allocation of community council administration grants for the Marr Area and were provided with consultation responses from the community councils.

The Area Manager introduced the report and responded to questions from Members in relation to the calculation of the amounts, community council consultation responses, and the officer recommendation.

Thereafter, the Committee **agreed** the allocation of community council administration grants for the Marr Area for 2022/23 on the basis of a fixed grant of £400 supplemented by an additional amount based on the number of electors in each community council area, as detailed in the appendix to the report.

15. FUTURE MEETING ARRANGEMENTS

There had been circulated a report dated 26 May 2022, by the Director of Environment and Infrastructure Services, which asked the Committee to provide a view on preferred meeting arrangements for 2022/23.

The Area Manager outlined the options and current lack of suitable accommodation for holding hybrid meetings within the Marr Area.

During discussion, Members indicated they would welcome being able to meet in person if a suitable venue for holding a hybrid meeting in the Marr Area became available but felt it was important to retain a virtual attendance option.

The Committee **agreed:-**

- (1) to note the options for meetings of the Committee as outlined in the report;
- (2) that formal meetings of the Committee would continue to be held virtually with consideration given to holding some informal meetings in person; and
- (3) to note that officers would report back to Committee in the event that the Committee's preferred option could not be facilitated within existing resources.

16. PLANNING APPLICATION FOR DETERMINATION

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

Reference No	Address
(A) APP/2022/0671	Full Planning Permission for Erection of 3 Short Term Holiday Lets and 1 Staff Unit at Wreaton, Aboyne

17. AMENDMENT TO HOUSING AND BUILDING STANDARDS WORK PLAN AND PROCUREMENT APPROVAL FORM: PROPOSED REDEVELOPMENT OF THE FORMER DEPOT AT KING STREET, HUNTLY

With reference to the Minute of Meeting of the Committee of 28 January 2020 (Item 13), there had been circulated an exempt report dated 1 June 2022, by the Director of Environment and Infrastructure Services, which sought approval to amend an item on the Housing and Building Standards Procurement Plan, and approval of the corresponding Procurement Approval Form.

The Affordable Housing Officer introduced the report and, along with the Quantity Surveying Manager, responded to Members' questions.

Following discussion, Councillor Petrie, seconded by Councillor Withey, moved to agree the officer recommendations.

As an amendment, Councillor Ross, seconded by Councillor Brown, moved to refer the matter to Communities Committee for further scrutiny.

Members of the Committee voted:-

for the motion (8) Councillors Withey, Blackett, Chou Turvey, Durno, Goodhall, Kloppert, Knight and Petrie.

for the amendment (2) Councillors Brown and Ross.

Therefore, the motion was carried and the Committee **agreed**:-

- (1) to approve an amendment to an item on the Housing and Building Standards Procurement Plan as detailed in Appendix 1 to the report, where the item was previously approved by Marr Area Committee on 28 January 2020;
- (2) to approve the new Procurement Approval Form in Appendix 2 to the report; and
- (3) not to reserve the award of the final contract for any matters over £1,000,000 and note that the Head of Housing had the delegated powers to award the final contract.

18. ABERDEENSHIRE CHARITIES TRUST (ACT2) APPLICATION

There had been circulated an exempt report dated 1 June 2022, by the Director of Environment and Infrastructure Services, which sought consideration of an application for Aberdeenshire Charities Trust (ACT2) funding from an individual.

The Committee agreed to approve an award of £500 from ACT2 (Ward 14: any of the purposes of ACT2) to the applicant.

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APPENDIX A

PLANNING APPLICATIONS

(A) Reference No: APP/2022/0671

Full Planning Permission for Erection of 3 Short Term Holiday Lets and 1 Staff Unit at Wreaton, Aboyne, Aberdeenshire, AB34 5JH

Applicant: Wreaton Farm Ltd, Aboyne, AB34 5JH

Agent: Gerry Robb Architectural Design Services, Bridgend, Bridgeview Road, Aboyne, AB34 5HB

There had been circulated a report dated 31 May 2022, by the Director of Environment and Infrastructure Services, which sought consideration of an application for Full Planning Permissions for the erection of three short term holiday lets and one staff unit at Wreaton, Aboyne.

The Committee agreed a request to speak from the applicants, Mr Hilton and Mr Grilli.

The Senior Planner reported on the details of the application and made reference to Policy B3 supporting tourist accommodation where it was well related to a settlement and would bring economic benefits; the development being close to the Aboyne settlement and economic benefits from bringing visitors to the area; site servicing, unit design and visual landscape impacts being acceptable; and the proposal not meeting Policy R2: Housing and employment development elsewhere in the Countryside but being supported as a departure on the basis of the economic benefits it would bring. The report confirmed, in terms of the principle of sustainable development, there were no adverse impacts which would significantly or demonstrably outweigh the benefits of the proposal.

Members sought clarification on a number of points in relation to the policy, conditions, and staff unit.

The Committee then heard from Mr Hilton, who made reference to purchasing Wreaton the previous year and aiming to create a self-sustaining business centred around the preservation, restoration and expansion of the existing natural habitat; the investment required to achieve those aims and intention that the application would provide the base income for investing in farm operations; the location on Royal Deeside, adjacent to the Deeside Way and near tourist destinations; the plans having been devised to be as visually and environmentally low impact as possible; and the holiday lets being for short terms use.

The Committee **agreed**:-

(1) to grant Full Planning Permission subject to the following conditions:-

01. The cabins 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 cabins shall not be occupied as a person's sole or main residence and the owner of the cabins shall maintain an up-to-date register of the name of each occupier of the cabins on the site, their length of stay and their main home address and shall make this information available at all reasonable times to the planning authority.

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

02. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 or the Town and Country Planning (Use Classes) (Scotland) Order 1997 or any order amending, revoking or re-enacting these Orders the Staff Unit hereby approved shall be used only for a purpose within Use Class 4 (Business) and shall not be used for any other purpose without the express grant of planning permission from the planning authority.

Reason: To enable the planning authority to consider the implications of any subsequent change of use on the amenities of the area.

03. The proposed development shall not be brought into use unless the proposed private water treatment system has been installed in accordance with the approved details. Once installed the private water treatment system shall thereafter be permanently retained.

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

04. The development 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 and the (S.A. McGregor, March 2022 Drainage Report). The foul and 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.

- (2) the reason for departing from the Aberdeenshire Local Development Plan 2017 as follows:-

The presumption in favour of sustainable development is a significant material consideration, this must be balanced against any adverse impacts of the proposed development which would significantly and demonstrably outweigh the benefits.

The proposed development accords with the Scottish Planning Policy principles of sustainable development. This carries significant material weight lending itself to an approval.

In assessing the proposed development there were no adverse impacts which would significantly and demonstrably outweigh the benefits of the proposal.

The Planning Authority considers that the application is for a development that is not in accordance with the Aberdeenshire Local Development Plan 2017. However, the proposed development, for short term letting accommodation, can be supported as a departure from Policy R2 Housing and business development elsewhere in the countryside of the Aberdeenshire Local Development Plan 2017, on the basis of the unique small-scale tourist accommodation in close proximity to the settlement boundary of Aboyne and it is considered that the location is therefore appropriate. The proposal would contribute to the wider social and economic benefits of the area through enhanced tourist accommodation offerings and support for local services in this area, and the proposal is acceptable in all other matters in relation to access, servicing, design and landscape impacts.