

ABERDEENSHIRE COUNCIL

BUCHAN AREA COMMITTEE

HYBRID MEETING – 13TH DECEMBER 2022

- Present:** Councillors D Beagrie (Chair), A Simpson (Vice Chair), A Buchan, G Crowson, G Hall, M James, L McWhinnie, H Powell and C Simpson
- Apologies:** Councillors D Mair and S Smith
- Officers:** Amanda Roe, Buchan Area Manager (Business Services); Lauren Cowie, Principal Solicitor (Business Services); Sally Wood, Senior Planner (Environment & Infrastructure Services); Christine Pert, Environment Planner (Environment & Infrastructure Services); Laurence Findlay, Director of Education & Children's Services; Rachael Goldring, Learning Estates Team Leader (Education & Children's Services); Ritchie Johnson, Director of Business Services; Steph Swales, Community Planning Officer (Business Services); Eleanor Morris, Area Project Officer (Business Services); Peter Fraser, Environment Planner (Environment & Infrastructure Services); Raymond Terris, Project Manager (Business Services); Anne Marie Davies MacLeod, Head of Service (Education & Children's Services); John MacLeod, Project Manager (Business Services); Tim Stephen, Service Manager (Education & Children's Services); and Theresa Wood, Area Committee Officer (Business Services)

**PRIDE OF BUCHAN AWARD –
'THE FRIDAY SHOPPIE IN MINTLAW'**

The Chair invited Councillor Anne Simpson, Vice Chair, to put forward her nomination for a Pride of Buchan Award –

"I'd like to nominate The Friday Shoppie in Mintlaw for a Pride of Buchan Award. This group has supported the community in Mintlaw for over 30 years by providing a shop in the small hall in Mintlaw Public Hall, a shop that stocked almost anything; books, bric-a-brac, cards, used clothes, home-baking and home-grown vegetables. It used to be called a thrift shop all those years ago. All the goods were donated by its members and the wider community. I remember when the Shoppie was first set up by Sandy Mutch about 1990 to raise funds for an extension to the hall in its centennial year (the hall was built in 1883) so they were raising funds for 1993. After the first few years when the hall improvements had been carried out, fundraising continued, benefitting the local surgery, the pensioners group and any local organisation requiring funds.

Since it began, over £100,000 has been raised! The current group of volunteers is giving up the reins on the 16th December, this coming Friday in light of their advancing years. Average age is well beyond retirement, well into late 80's early 90's. The three main volunteers are Gordon and Bunty Skene, and Doreen Coutts, ably assisted by several more. I think their commitment to Mintlaw has been outstanding, and should be marked by the Buchan Area Committee before the group folds for good."

The Committee unanimously **agreed** that The Friday Shoppie in Mintlaw be presented with a Pride of Buchan Award.

BUCHAN'S GOOD NEWS STORY

The Chair read the following Good News Story for Buchan and requested that a letter of thanks be forwarded –

"Karen Wood, a Care Manager from Peterhead, has been recognised as being one of the best care managers in Scotland, after winning the highly-coveted 'Leadership Award' at a prestigious social care awards ceremony.

Karen works for Community Integrated Care, one of Scotland's biggest social care charities, managing a broad array of care services across Aberdeen and Aberdeenshire, from Care Homes to Supported Living Services.

She is among a handful of care professionals from across Scotland to have received a top honour at Scottish Care's Annual Care Home Awards. The special event showcases the very best of Scotland's social care sector, with a focus on work in care home settings.

Can I ask the Area Manager to write a letter of congratulations to Karen on behalf of the Committee. Thank you."

The Committee unanimously **agreed** that a letter of thanks be sent to Karen Wood.

1. DECLARATION OF MEMBERS' INTERESTS

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

- (1) Councillor D Beagrie for Items 9 & 10 by virtue of being chair of Peterhead Together for Good and Peterhead Area Community Trust, however, in having applied the objective test Councillor Beagrie concluded she had no interest to declare as these are performance reports, and took part in the discussion of these items

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

- (1) where an Integrated Impact Assessment was provided, to consider its contents and take those into account when reaching its 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	Paragraph No of Schedule 7A
13	8
14	10
15	8
16	8

3. DRAFT MINUTE OF 22ND NOVEMBER 2022

The Draft Minute of 22nd November 2022 had been circulated and was **approved**.

4. DEFERRED PLANNING APPLICATIONS

With regard to the deferred planning applications, the Committee had before them a report 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/2022/0329 Planning Permission in Principle for Erection of Dwellinghouse at Site adjacent to Schoolhouse, Shannas, Clola, Mintlaw
- (b) APP/2022/1765 Planning Permission in Principle for Erection of Dwellinghouse (Renewal of Planning Permission Reference APP/2019/0798) at Captains Cabin, Aulton Road, Cruden Bay, Peterhead

5. HISTORIC ASSET MANAGEMENT PROJECT UPDATE

A report by the Director of Environment & Infrastructure Services had been circulated detailing the projects planned to be undertaken by the Historic Asset Management Project (HAMP) in the financial year 2023/2024. It also provided a summary of progress made over the past 2 years, with a list of completed projects, budget information and other relevant updates.

The Committee **agreed** to make the following comments to Infrastructure Services Committee:-

- (1) to request more detail in annual reports in terms of what has been achieved in the past year, which projects are ongoing, and what the projected programmes are for the next few years; for this year, the representing Officer advised that the HAMP spreadsheets, which details the Council's 500+ assets, can be made available to Members so that they can see how the assets have been prioritised in terms of required works etc,
- (2) to request that the Strichen Old Graveyard be reinstated on the works list as the works are not fully complete, and
- (3) to request that Officers explore opportunities for more partnership working to include educating willing volunteers in specific areas of restoration works

6. EDUCATION & CHILDREN'S SERVICES MID-YEAR PERFORMANCE MONITORING REPORT – APRIL TO SEPTEMBER 2022 (COUNCIL PRIORITIES: AREA PLAN 2021-2023)

A report by the Director of Education & Children's Services had been circulated providing an update on the progress with key Council Area outcome indicators from the Education & Children's Services Directorate, to help demonstrate how we are delivering on the Aberdeenshire Council Plan Priorities (2020-2022) framework linked to the Buchan Area Plan (2021-2023). The report evidenced progress through a reflection of the performance achieved during the first six months of the reporting year 2022/23 (April to September 2022), for the Committee's consideration within their scrutiny and monitoring role.

The Committee **agreed**:-

- (1) to highlight that the CLD measure isn't a measure it is just a number and whilst it is good to see the numbers increasing, the measure that Education & Children's Services Committee received in the CLD annual report, which indicates the level of individuals achieving their learning goals, is better; in addition, the target is too low, and
- (2) to highlight the need for satisfaction data over a longer period to better understand trends

7. 2022 BASED SCHOOL ROLL FORECASTS

A report by the Director of Education & Children's Services had been circulated providing the School Roll Forecasts for all primary and secondary schools in Aberdeenshire on an annual basis, and seeking the Committee's comments for consideration by the Education & Children's Services Committee on 2nd February 2023.

The Committee **agreed** to provide the following comments to Education & Children's Services Committee:-

- (1) having highlighted concerns with forecasts for Dales Park School and Meethill School in 2026/27, to welcome the proposal for realigning catchment areas in due course, and
- (2) to note predicted capacity 2027 figure for Kininmonth with some concern, and to highlight concerns in relation to Mintlaw Academy and Stuartfield Primary given the proposals for new housing development

8. BUSINESS SERVICES' AREA COMMITTEE PERFORMANCE INDICATOR REPORT – MID-YEAR PROGRESS (APRIL 2022-SEPTEMBER 2022)

A report by the Director of Business Services had been circulated providing the Committee with an update on progress in relation to performance indicators which support the Council Plan Priorities 2020-22.

Having considered the progress made, the Committee **agreed**:-

- (1) to congratulate staff on the level of support and advice being given around Crisis Grants and Community Care Grants,
- (2) having highlighted the importance of a quick turnaround with Universal Credit applications, to request that the Council's performance be reviewed,
- (3) in terms of Housing Payments, to request that trend information be added to the next quarterly report,
- (4) in terms of the measures related to Operational Buildings, to request some correlation between these and to seek some clarity as to what it looks like in terms of usable space,
- (5) to request more detail in relation to turnover of staff within Customer Services, and
- (6) to request detail in relation to number of abandoned automated web-chats

9. BUCHAN AREA PLAN SIX-MONTHLY UPDATE (APRIL 2022 TO SEPTEMBER 2022)

A report by the Director of Business Services had been circulated providing the Committee with the first update on progress made in relation to projects/actions in the Buchan Area Plan for the financial year 2022/2023.

The Committee **agreed:-**

- (1) to note verbal updates from Area Manager in relation to –
 - Action 2.26, page 105;
 - Action 4.10, page 120;
 - Action 4.13, page 124;
 - Action 5.05, page 129;
- (2) Action 1.02.3 - Development of Peterhead Community Campus - Commence Gateway 3 (page 97), to request confirmation of completion date of Gateway 3,
- (3) to query following measures and seek feedback via the Outstanding Statement – 1.08, 2.18, 2.03, 2.08, 2.17, 3.03, 3.04, 5.11 and 6.02 – and,
- (4) to query when are the works at the layby at Grange Road, Peterhead, scheduled to start given the completion date is March 2023

10. BUCHAN COMMUNITY PLAN – LIGHT TOUCH REVIEW ENDORSEMENT UPDATE ON THE BUCHAN COMMUNITY PLANNING PARTNERSHIP

A report by the Director of Business Services had been circulated asking the Committee to endorse the recently updated Buchan Community Plan which was agreed by the Buchan Local Community Planning Group on 30th August 2022, and to note the progress of the Buchan Community Planning Partnership.

The Committee **agreed:-**

- (1) to endorse the Buchan Community Plan 2025,
- (2) to note concern with 'Our Aberdeenshire' website in that it is quite confusing, particularly given the number of Plans listed,
- (3) to welcome proposed co-ordination of Local Community Planning Group and Hub Meeting dates, and
- (4) to welcome intermediate data zones information

11. ASSET TRANSFER REQUEST – STRICHEN PUBLIC TOILETS

A report by the Director of Business Services had been circulated advising that the Area Committee is required to determine the granting of the transfer of an asset to a community group and the terms and conditions of that transfer. The report asked the approval of the Buchan Area Committee to transfer Strichen Public Toilets to Strichen Town House SCIO.

The Committee **agreed**:-

- (1) to welcome and approve the Asset Transfer request from Strichen Town House SCIO for ownership of Strichen Public Toilets and instruct the Area Manager to issue a Decision Notice,
- (2) to delegate authority to the Area Manager to instruct Legal & People to conclude the transfer of Strichen Town House SCIO, and
- (3) that the purchase price should be set at a nominal sum of £1 which takes into account the demolition costs and community benefits that the organisation can provide

12. STATEMENT OF OUTSTANDING BUSINESS AS AT 2ND DECEMBER 2022

Having heard from the Area Manager, the Committee **agreed**:-

- (1) to note that Action 1 will now need to be rescheduled, and
- (2) to remove Action 9

13. SUPPLEMENTARY DIRECTORATE PROCUREMENT PLAN – PROCUREMENT APPROVAL

A report by the Director of Environment & Infrastructure Services had been circulated advising on planned expenditure for maintenance and improvement works, and asking that the Committee approve the proposed expenditure on works in the Supplementary Procurement Plan.

After some discussion, the Committee **agreed** not to approve the item on the Supplementary Procurement Plan at this time, but that the report be deferred to the next meeting of the Buchan Area Committee on 31st January 2023 to allow Officers time to speak with the landowner re the possibility of repair works being done to the access road in conjunction with the works to the car park.

14. BUSINESS SERVICES DIRECTORATE SUPPLEMENTARY PROCUREMENT PLAN 2022/23 – PROCUREMENT APPROVAL

A report by the Director of Business Services had been circulated seeking the Committee's approval of a Supplementary Procurement Plan for the proposed procurements to be added to the Business Services Directorate Annual Procurement Plan 2022/23.

The Committee **agreed**:-

- (1) to approve the items on the Supplementary Procurement Plan as detailed in Appendix 1 attached to the report, and note that these items will be added to Business Services Directorate Procurement Plan approved by this Committee on 24th February 2022,
- (2) to not reserve approval of the Procurement Approval Form for any items on the Procurement Plan,
- (3) to note that the Head of Property & Facilities Management has delegated authority to award the final contract of the items with a value up to £1,000,000 where the Committee has not reserved the right to award the final contract, and
- (4) with regard to the roof works as proposed at Balmoor, to request that Officers report back, via the Outstanding Statement, recuperation costs dependent on recladding or replacement

15. 18845 – PETERHEAD COMMUNITY CAMPUS – GATEWAY 2 REPORT

The Director of Education & Children's Services had circulated a report relating to the proposed Peterhead Community Campus. The report presented the Gateway Stage 2 Report, including Revised Cost Plan.

Following a detailed discussion, the Committee **agreed** to recommend to Full Council –

- (1) the Buchan Area Committee's strong support for Option 1, Sub Option 1, to be progressed to Gateway 3,
- (2) approval of the Revised Cost Plan associated with the instructed Option, along with the associated impact on Capital and Revenue Budgets,
- (3) approval of the increased Capital Plan allocation associated with the instructed Option and a re-profiling of the project expenditure to reflect the programmed Site 1 completion date,
- (4) to instruct Officers to proceed to Gateway Stage 3, and

- (5) to instruct Officers to report back in line with the Governance Route Map and Gateway process as outlined in Appendix 5 attached to the report

16. LLA DIRECTORATE PROCUREMENT PLAN – PROCUREMENT APPROVAL

A report by the Director of Education & Children's Services had been circulated asking the Committee to approve the Procurement Approval Form for a project to improve the fitness facilities at the Peterhead Community Centre.

Although it would have been preferable for this project to come forward as a complete package, the Committee **agreed**:-

- (1) the Procurement Approval Form as detailed, and
- (2) to receive a further Procurement Approval Form for a revised plan for the development of the existing Amazone area

APPENDIX A

DEFERRED PLANNING APPLICATIONS

- (a) **Planning Permission in Principle for Erection of Dwellinghouse at Site Adjacent to Schoolhouse, Shannas, Clola, Mintlaw**
 For: Miss Melissa Cadger, Bankbrae, Clola, Peterhead
 Per: Arcus Design Ltd, Mavisbank, Old Deer, Peterhead
Reference No: APP/2022/0329

The Committee **agreed**:-

- (1) that authority to Grant Planning Permission in Principle be delegated to the Head of Planning, subject to relevant planning conditions, and
- (2) that the Buchan Area Committee disagrees with the Planning Service's recommendation and is of the opinion that the application does comply with policy given -
 - (a) that the proposal does form a linear pattern and is an appropriate addition to an existing cluster given there is visual connectedness regardless of the road, and
 - (b) that Members are satisfied with the information provided in the Agricultural Report in that the land is not prime agricultural land

- (b) **Planning Permission in Principle for Erection of Dwellinghouse (Renewal of Planning Permission Reference APP/2019/0798) at Captains Cabin, Aulton Road, Cruden Bay, Peterhead**
 For: Mr A Smith, per Agent
 Per: Baxter Design Company, 1 The Square, Mintlaw
Reference No: APP/2022/1765

The Committee **agreed** to Grant Planning Permission in Principle subject to the following conditions:-

01. In accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended) this planning permission in principle will lapse on the expiration of a period of five years from the date of this decision notice, unless the development hereby granted is begun before that date.

Reason: Pursuant to Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

02. Details of the specified matters listed below shall be submitted for consideration by the planning authority and no development shall begin on the site unless all of the details listed in this condition have been submitted to and approved in writing by the planning authority. The development shall be carried out in complete accordance with the details approved in relation to this condition.
- (a) full details of the siting, design, layout, external appearance and finishing materials of the proposed development including waste bin uplift area, driveway, vehicle parking and turning area;
 - (b) full details of the proposed means of access to the development
 - (c) a detailed levels survey of the site and cross sections showing proposed finished ground and floor levels relative to existing ground levels and a fixed ordnance datum point;
 - (d) full details of the proposed means of disposal of surface water from the development;
 - (e) full details of the boundary treatments.

Reason: Permission for the development has been granted in principle only and subsequent approval is required for these matters in accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

03. The dwellinghouse hereby approved shall not be erected unless an Energy Statement applicable to that dwellinghouse has been submitted to and approved in writing by the planning authority. The Energy Statement shall include the following items:
- a) Full details of the proposed energy efficiency measures and/or renewable technologies to be incorporated into the development;
 - b) Calculations using the SAP or SBEM methods, which demonstrate that the reduction in carbon dioxide emissions rates for the development, arising from the measures proposed, will enable the development to comply with Policy C1 of the Aberdeenshire Local Development Plan 2017.

The development shall not be occupied unless it has been constructed in full accordance with the approved details in the Energy Statement. The carbon reduction measures shall be retained in place and fully operational thereafter.

Reason: To ensure this development complies with the on-site carbon reductions required in Scottish Planning Policy and Policy C1 of the Aberdeenshire Local Development Plan 2017.

04. The proposed development shall be connected to the public water supply as indicated in the submitted application and shall not be connected to a private water supply without the separate express grant of planning permission by the planning authority.

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

05. Waste water from the proposed development shall be disposed of via the public sewer as indicated in the submitted application and shall not be disposed of via private means without the separate express grant of planning permission by the planning authority.

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

06. No works in connection with the dwellinghouse hereby approved unless full details of the surface water drainage system and maintenance report have been submitted to and approved in writing by the Planning Authority. Once approved the surface water drainage system installed in accordance with the approved plans and 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.

07. No works in connection with the development hereby approved shall commence unless details of the refuse bin uplift store area has been submitted to and approved in writing by the planning authority. The bin uplift store area shall be constructed behind any visibility splay and shall be designed so as to be accessible for refuse bin uplift and to prevent empty bins from being wind-blown. The dwellinghouse shall not be occupied unless the refuse bin uplift store area has been provided and surfaced in accordance with the approved details. Once provided, the refuse bin uplift store area shall thereafter be permanently retained as such.

Reason: To ensure the provision of an appropriate means of servicing in the interests of road safety.

08. The dwellinghouse hereby granted shall not be occupied unless its driveway, parking and turning area have been provided and fully paved in accordance with details that shall be firstly submitted to and approved in writing by the Planning Authority. Once provided, all parking and turning areas shall thereafter be permanently retained as such.

Reason: To ensure the timely completion of the driveway to an adequate standard and in the interests of road safety.

09. The boundary treatments as granted under the Matters Specified in Conditions application(s) shall be installed in full in accordance with approved details prior to first occupation of the dwellinghouse hereby granted.

Reason: In the interests of visual and residential amenity.

Reason for departing from the Aberdeenshire Local Development Plan 2017 -

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 proposed development for a single house to replace the existing cabin within the coastal zone is supported. While there has been no justification provided that demonstrates that the proposed house requires a coastal location, the proposed development is immediately adjacent to an existing settlement and would form part of that built up area, thus the impacts to the coastal zone are not significant. Furthermore, the principle of development would not have a significant adverse impact on the qualifying interests for the overall nature conservation site and the wider landscape. The development complies with Policy P1 Layout, siting and design, Policy E1 Natural heritage, Policy E2 Landscape and Policy RD1 Providing suitable services, and is deemed an acceptable Departure from Policy R1 Special rural areas contained within the Aberdeenshire Local Development Plan 2017.