

ABERDEENSHIRE COUNCIL

BANFF AND BUCHAN AREA COMMITTEE COUNCIL CHAMBER, COUNTY HALL, BANFF 28 MAY 2019

Present: Councillors A Kille (Chair), C C Buchan, J B Cox, M A Findlater, H Partridge, G Reynolds, D Mair, M J Roy and B A Topping

Apologies: Councillor R A Cassie

Officers: Mrs A Keith, Interim Area Manager; Miss F M Stewart, Senior Solicitor; Mr J Martin, Senior Planner; Mr R McCleary, Project Coordinator; Mrs L Campbell, Head Teacher; Ms B Johnston, Acting Head Teacher; Mr L Dougall, Area Estates Surveyor and Mrs E M Farquhar, Committee Officer

In attendance: Chief Inspector Rob Sturton, Police Scotland

1. DECLARATION OF MEMBERS' INTERESTS

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

Item 6 Councillor Cox **declared an interest** by virtue of the fact that his wife had been part of the staff at Aberchirder Primary School recently and, having applied the objective test, left the meeting and took no part in the item.

Item 7 Councillor Reynolds **declared an interest** by virtue of the fact that he was a local resident and, as a member of the public, objected to the application and left the meeting and took no part in the 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 8 and 9 of the business on the grounds that these items involved the likely disclosure of exempt information of the class described in Paragraph 8 of Part 1 of Schedule 7A of the Act.

3. MINUTE OF MEETING OF 07 MAY 2019

The minute of meeting of 07 May 2019 had been circulated.

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

4. LIST OF OUTSTANDING BUSINESS AT 28 MAY 2019

A list of outstanding business at 28 May 2019 had been circulated.

The Committee **noted** the list of outstanding business.

5. POLICE SCOTLAND - PERFORMANCE MONITORING AND UPDATE REPORT

A report dated 13 May 2019 from the Director of Business Services had been circulated to advise Members of the performance of the police service.

The Committee **noted** the terms of the report, congratulated the Chief Inspector on the successful and positive performance statistics and asked him to pass on the Committee's appreciation to his team.

6. EDUCATION SCOTLAND INSPECTION, ABERCHIRDER SCHOOL AND NURSERY CLASS

A report dated 08 May 2019 from the Director of Education and Children's Services had been circulated to ask the Committee to consider and comment on the recent inspection report for Aberchirder school and nursery class.

The Committee considered the report and **agreed**:

1. that the Service ensure that efforts are made to support Aberchirder Primary school and staff in the Education Scotland inspection process and in the raising of standards of attainment and achievement in all aspects of school life,
2. that a report be submitted to a future meeting of the Committee giving details of the support provided to the school, by the Service, over the last five years and during the inspection process, and
3. that further reports on Education Scotland school inspections be presented to the Area Committee to allow Members to be kept informed of any progress.

7. PLANNING APPLICATION FOR DECISION

The following planning application was considered, following a visit to the site and dealt with as recorded in Appendix A to this minute.

A	Reference No APP/2019/0118	Full Planning Permission for Erection of 8 Metre Telecommunications Mast, Raised Concrete Platform and Handrail at Site Adjacent to Pennan Community Hall, Main Street, Pennan
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8. FRASERBURGH 2021 KIRK BRAE PUBLIC REALM IMPROVEMENT SCHEME - RESTORATION OF THE SALTOUN MAUSOLEUM AND TEMPERANCE FOUNTAIN

A report dated 01 May 2019 from the Director of Infrastructure Services had been circulated to ask the Committee a) to agree to the responsibility for the maintenance of the mausoleum b) to approve the grant funding for the restoration and repair of the two structures.

The Committee **agreed**:

1. that the Council take responsibility for the maintenance of the Saltoun Mausoleum for the duration of the grant control period,
2. **to approve** grant funding for the restoration and repair of the Saltoun Mausoleum and Temperance Fountain from the Fraserburgh 2021 budget, and
3. that Council officers continue discussion with the owners to see if a contribution towards the cost of the maintenance of the mausoleum can be obtained from them.

Councillor Presiding over meeting

Print Name

Signature

Date

APPENDIX A

PLANNING APPLICATION FOR DECISION

7A REFERENCE NO APP/2019/0118

FULL PLANNING PERMISSION FOR ERECTION OF 8 METRE TELECOMMUNICATIONS MAST, RAISED CONCRETE PLATFORM AND HANDRAIL AT SITE ADJACENT TO PENNAN COMMUNITY HALL, MAIN STREET, PENNAN

Applicant: WHP Telecoms Ltd

With reference to Branch 6C of the Minute of Meeting of 16th April 2019 and following a visit to the site by Members of the Committee on 21 May 2019, the Committee resumed consideration of a report from the Director of Infrastructure Services, which now included additional information received from the applicant, seeking determination of the above planning application.

Following significant discussion, Councillor Findlater, seconded by Councillor Buchan **moved** that the application be refused as the proposed development would have a negative impact on the conservation area and did not comply with Policy HE2 (Protecting Historic and Cultural Areas).

As an amendment, Councillor Kille, seconded by Councillor Cox **moved** that the application be approved as applied for as there would be minimal visual impact, there was a need for increased internet coverage and there was no evidence of any potential health and safety issues.

Members of the Committee voted:

For the motion	5	Councillors Buchan, Findlater, Mair, Roy and Topping,
For the amendment	2	Councillors Cox and Kille

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

that the application be refused as the proposed development would have a negative impact on the conservation area and did not comply with Policy HE2 (Protecting Historic and Cultural Areas).