

**MINUTES OF THE 306th BUSINESS MEETING
OF THE
STONEHAVEN AND DISTRICT COMMUNITY COUNCIL**

HELD IN THE COWIE LOUNGE OF THE INVERCARRON RESOURCE CENTRE AT 7.30PM ON
TUESDAY 11th JULY, 2006

PRESENT:

David Fleming (Chairperson), Sarah Dickinson, Raymond Christie, David Wood, Ian Hunter, Lenny Lawrence, Jane Davidson, Michael Innes.

Kincardine and Mearns Councillors: Mike Sullivan, George Swapp, Wendy Agnew

Minute Secretary: Sharon Hall

Also present:

Sgt. Grant Wallace (part of meeting)

1 member of the Press

Andy Hickling, Principal Landscape Services Officer, Aberdeenshire Council (especially for item 12)

Item	Description	Action
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1. Welcome, sederunt, apologies and declarations of interest

Apologies were received from Peter Bellarby, Ditta Neuman, James Cleves, Teresa Coffield, Lyn Jardine, Cllr Jack Morrison
There were no declarations of interest.

2. Previous Minutes

Approval:

Correction to the Minutes of the meeting held on 13 June as follows:

Item 3: Police Report – The Traffic Dept **is** based in Stonehaven.

Approval of the Minutes was then proposed by Michael Innes, seconded by Lenny Lawrence

Matters arising and follow up of action items not dealt with elsewhere:

Ian Hunter questioned why there had not been another meeting held in July, as had been agreed, by vote, at the last meeting. He did not feel that it was the Chairman's prerogative to change this decision. David Fleming stated he had decided not to hold an extra meeting as it had been too difficult to split the agenda and no common date had been possible. He accepted that this had not been the decision of the Council.

3. Crime Prevention – Report by Police

Crime Bulletin issued.

Sgt Wallace spoke about the recent Police knife amnesty. The use of knives is not a great problem in Stonehaven but there have been two serious incidents involving knives in the last 2 weeks – one in Stonehaven and one in Laurencekirk. There were 68 knives handed in at Stonehaven during the amnesty, including 38 non-domestic knives. Sgt. Wallace displayed a few of these items, all of which will now be destroyed. He said that the amnesty helps to highlight the problem to the public.

The Police had taken part in a Street Football event in Mineralwell Park. This had been organised by local Community Workers and had been very successful. He felt it had been a very positive event and would be keen to see it tried again, although volunteers would be needed to run it. Raymond Christie suggested the event could take place in the Market Square rather than in the park.

Sgt Wallace said the Police were also involved in trying to set up a Youth Forum/Café as part of their strategy to work with young people.

Ian Hunter asked about the increase in the problem of mini-motorbikes. The Police are still actively working on this problem. They continue to push the fact that the bikes are not “street-legal” and try to direct riders to areas where they can be used, such as the Scrambler Track at Gourdon.

4. Budget - Briefing Paper issued by Lyn Jardine.

No comments.

Update of Committee Activities:

5. Planning – David Fleming

The committee had met once and had also had a meeting with two Aberdeenshire Council officials.

6. Transport

Copies of the Local Transport Strategy are available and will be discussed at the August meeting

7. Kincardine and Mearns Community Learning Partnership

Ian Hunter advised that information could be obtained at www.aberdeenshire.org/clp
The meeting he had attended had mainly been a business meeting to discuss issues such as dates of meetings, how to measure outputs and “capacity building” and it was mostly professionals who had attended. David Fleming pointed out that the Area Committee had produced an Annual Report on Community Development Groups. He questioned whether S&DCC would want to get involved and advised that the Strategy Committee would be considering this issue.

**Strategy
Committee**

8. SusSET

Jane Davidson advised that she had no further news at present about the visit at the end of August.

9. Future of Stonehaven – Briefing Paper issued

There had been no meeting during July. Sarah Dickinson asked if S&DCC members would like to take part in the questionnaire. This would require a separate meeting for approx. one hour, which she would organise and chair. Proposed by Sarah Dickinson, seconded by Lenny Lawrence, agreed unanimously.

**Sarah
Dickinson**

10. Strategy – Briefing Paper issued

Committee members are currently carrying out research. A Draft Strategy should be ready in September.

Issues - carried forward from last meeting:

11. Keith Lodge – Briefing Paper issued

Lyn Jardine had reported that various groups were currently involved in trying to resolve the current situation. Cllr. Agnew advised that the List B category had been removed from Keith Lodge on 23 March 2006 and, in light of this, she questioned when the closure decision had first been made. There was discussion regarding the possible development of the site and the market value of the building. It was confirmed that S&DCC would take no further action on this issue, as had been previously agreed.

12. Caravan Use at Cowie

Jane Davidson outlined the problems that Cowie residents had raised regarding the incorrect use of the site by non-tourists, some reported incidents of intimidation and the worry that the site might become open for use all year round. Andy Hickling, (Principal Landscape Services Officer, Aberdeenshire Council) clarified that the Cowie site will never become a residential site

and nor would it be used for winter storage. He also advised that any incident of intimidation must be reported to the police. With regard to the complaint about the use of the site for commercial purposes, he advised that an individual would need to be seen “*to be carrying out commercial activity*”. Re the long-term use of the site – an owner can stay on the site all season, i.e. for their personal use, but this cannot be their only address. If a stance is used for letting, the owner is charged a higher rate but they are required to provide more stringent certification and paperwork. Lets can only be for a period of 3 weeks. The Council has no jurisdiction over those to whom owners let out their caravans.

Michael Innes queried why the warden is only on site 5 hours a day. There had been a recent incident of intimidation by an owner. Andy Hickling advised that wardens cannot work beyond the maximum 45 hours per week. Any incident of intimidation must be reported to the police. There had been problems with recruitment and the current warden is new to the post.

Sarah Dickinson asked for clarification on the problem of intimidation by workers staying on the site. David Fleming said that workers staying on the site are parking their work vans on the road between the site and the Leisure Centre. This is not illegal and there does not appear to have been any formal complaints received. Jane Davidson stated that there has been up to 15 vans parked there and this had caused ill feeling with local residents.

There was further discussion about the problem of commercial use. Raymond Christie referred to Item 5 of the Management Rules for Caravan Parks - he suggested that workmen staying on the site could be seen as “*engaging in the sale of ... services*” as they are involved in selling their labour. Andy Hickling advised that this clause refers to selling on the open market, on site. He emphasised that any complaint regarding the use of the site for commercial purposes requires documented evidence to be produced.

Sarah Dickinson stated that there could be no constraint as to who rents out a caravan for a 3 week let. If a workman stays in a caravan, BandB or a hotel they could also be seen as taking “tourist beds”. Ian Hunter pointed out that it would be a similar situation with workmen’s vehicles – they could be parked outside a BandB establishment and would not be breaking the law.

David Fleming reminded members that the role of the Community Council is (i) to look at laws and rules to see if there are any infringements, and (ii) to ensure that the appropriate authority is being advised of any incidents involving violence, intimidation, nuisance etc. It was agreed that positive assurance had been given about the future of the site. Andy Hickling advised that surveys had indicated that 98% of visitors were very happy with the site. He confirmed that misuse of the site could result in the user being banned but all complaints need to be reported and evidence produced. Michael Innes asked that all users of the site be made aware of where complaints should be directed.

David Fleming requested that Aberdeenshire Council produce a report at the end of the season collating all complaints etc. received about the site. Andy Hickling agreed to this.

Andy Hickling

All S&DCC members were asked to review the Management Rules for Caravan Parks 2006 (copies circulated), and let Andy Hickling have their comments.

All Members

Issues around Planning (Briefing Paper issued)

13. Shops on the Promenade

David Fleming advised that Lesley Duff's new premises, next to Molly Gunnings, is being set up as an Ice Cream Parlour and Fish and Chip Takeaway. There is some concern about the potential litter problem but Lesley Duff is a very strong campaigner and will ensure the area is kept clean. Horizon is particularly concerned about potential litter. It was felt that if Lesley Duff sells on the business any future owner might not be so diligent about clearing up litter. Also, even if the immediate area of the premises is kept clean, rubbish is likely to be deposited elsewhere along the beachfront. Ian Hunter felt this was a good site for a takeaway as it was away from the pubs and from residential areas. David Fleming suggested one way forward was to establish a partnership within the community to maintain standards. Sarah Dickinson said this could tie in with the "Adopt a Street" idea. Lesley Duff had previously applied for a liquor licence but this has now lapsed and is therefore no longer an issue.

14. Ury House Developments

During general discussion about the Briefing Paper, Ian Hunter pointed out that previously the S&DCC position regarding the development had in fact been "neutral". The correspondence that had been sent to Aberdeenshire Council had not been voted on and was considered to be contentious. David Fleming suggested that there was a need to refurbish Ury House. Jane Davidson stated that Fetteresso Castle had been redeveloped without the need to build other houses. Wendy Agnew queried why Ury House itself had not been marketed. David Fleming indicated that the proximity of the BP Pipeline has meant that the HSE will only allow the maximum of 9 flats to be developed within Ury House. It could not therefore be developed as a hotel or conference centre.

There was discussion about the benefits of refurbishment. David Wood questioned whether there would be any public benefit at all given that it would be an entirely private development. Sarah Dickinson said that if a form of parkland with pathways was created then this could be a welcome public amenity. However it was felt that Ury House would probably be screened and views would not therefore remain open. Wendy Agnew pointed out that the topic under discussion at the next Area Committee meeting will not be about Ury House but about the "enabling development". David Fleming felt that the commercial background to the current enabling development proposals was not transparent and an overview is needed, independent of the developers and Aberdeenshire Council.

Ian Hunter stated that the view of the local community is that the number of new houses in Stonehaven should be limited. The current application is being recommended for refusal by the planners on the basis that it is an unsustainable development. The danger would be that the developers might then apply for an increased number of houses. Cllr. Agnew said that part of the planning gain would be the provision of affordable housing elsewhere. Michael Innes understood that a transport structure and money for sport would also be provided. However, David Fleming said that there was no guarantee as to where planning gain money would go. Sarah Dickinson said that, nevertheless, the public would see planning gain as a main benefit of the development. David Wood and Ian Hunter both expressed views against the development. There may be merit in leaving Ury House as a ruin. Michael Innes was in favour of redevelopment and felt Ury House could be reinstated as a focal point for Stonehaven. There was further discussion about the wording and views outlined in the Briefing Paper and on which members were being asked to vote. In particular, it was agreed that "enabling development" could involve something other than the current proposal. Apart from private development the only other ways of refurbishing Ury House would be by private benefactor or public funding.

Members were then asked to vote on the following:

1. *The restoration of Ury House is clearly highly desirable.*

The following members voted in favour of this statement: Jane Davidson, Sarah Dickinson, David Fleming, Michael Innes, David Wood.

The following members abstained: Raymond Christie, Ian Hunter, Lenny Lawrence

The motion was therefore carried by 5 votes to nil with 3 abstentions.

2. *The only feasible way to achieve the restoration is by way of an enabling development.*

Proposed by David Fleming. Seconded by Michael Innes

The following members voted in favour: David Fleming, Michael Innes.

All other members present abstained.

The motion was therefore carried by 2 votes to nil with 6 abstentions.

There was discussion regarding the view expressed by the Chairman in the Briefing Paper about the problems of commercial confidentiality and his wish to recommend that *“the KandM Area Committee should consider setting up fresh independent oversight mechanisms”*

Cllr. Sullivan pointed out that an independent arbitrator had already backed up the applicant in terms of the enabling development outlined in the current plan, but David Fleming said this was still not a “public” procedure. It was suggested by a member of the Press that S&DCC should be considering and voting on the position as it is now rather than trying to lobby for change. This was agreed and members then voted on the following:

3. *This Community Council finds unacceptable the enabling development in the current planning application for the restoration of Ury House.*

Proposed by Ian Hunter. Seconded by Raymond Christie

The following members voted in favour: Raymond Christie, Jane Davidson, Sarah Dickinson, David Fleming, Ian Hunter, Lenny Lawrence, David Wood.

Michael Innes voted against the motion.

The motion was therefore carried by 7 votes to 1 with no abstentions.

15. 5C Robert St

Application not discussed

16. County Hotel Development

It was agreed that a letter of objection be sent with regard to the new plan submitted by Barratts.

17. Waste Management

Item not discussed

18. Windfarms

Item deferred

19 – 26 The Chairman asked members to consider each of these items and to come forward with any ideas/comments at the next meeting.

All Members

The following points were noted:

Item 20 : Councillor Training. Jane Davidson advised there had only been 4 responses to date.

Item 21: Planning Gain. Raymond Christie advised that the Planning Gain officer would be giving a presentation at the Community Council Forum on 28 September.

Item 23: A volunteer is required to maintain the newspaper archive.

Item 24: Briefing Paper issued.

Item 26: Contacts list issued for members to check

27. There was no A.O.C.B.

The meeting was closed at 9.46