

EAST AYRSHIRE COUNCIL**DEVELOPMENT SERVICES COMMITTEE****MINUTES OF MEETING HELD ON WEDNESDAY 10 MARCH 2004 AT 1000 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

PRESENT: Councillors Eric Ross, Maureen McKay, Jim O'Neill, Stephanie Young, Daniel Coffey, Douglas Reid, Isabella Macrae, John Campbell, Stuart Finlayson, Robert McDill, George Smith, Jimmy Kelly, Tommy Farrell, Elaine Dinwoodie and Jimmy Carmichael.

ATTENDING: David Montgomery, Chief Executive; James Lavery, Director of Homes and Technical Services; David Mitchell, Head of Administrative and Legal Services; Robert Paton, Head of Economic Development; Alan Neish, Head of Planning and Building Control; Jim Kane, Head of Roads and Transportation; Alistair Kidd, Financial Services Manager; Karen McLeod, Solicitor; Tom Meikle, Public Relations Officer; Robert Beaton, Administrative Officer; and Lynn Chapman, Trainee Administrative Officer.

APOLOGIES: Councillors John McGhee, Brian Reeves, Drew McIntyre, Iain Linton, Ray Murray and Eric Jackson.

CHAIR: Councillor Eric Ross, Chair.

MONITORING REPORTS**1.1 BUDGETARY CONTROL SUMMARY STATEMENT DEVELOPMENT SERVICES TO 14 DECEMBER 2003 (PERIOD 9)**

There was submitted a joint report dated 26 February 2004 (circulated) by the Director of Finance and the Director of Development Services which advised of the current budgetary control position and the projected out-turn for the year for the Development Services Department, for the period ended 14 December 2003 (Period 9).

It was agreed:-

- (i) to note that the table in Paragraph 2.5 of the report should read £4,674,303 against "Employee Costs" Project Actual Expenditure for 2003-04 and not £4,704,303 as shown; that £30,000 be inserted under "Variance" (in the adjacent column); and the "Net Expenditure" under "Variance" column would become an under spend of £15,000; and
- (ii) otherwise, note the contents of the report.

1.2 ABSENCE MANAGEMENT REPORT QUARTER 4 (2003)

There was submitted and noted a report dated 26 February 2004 (circulated) by the Director of Development Services which advised of the absence rates for the Department of Development Services for the quarterly period ending 31 December 2003.

A CONSULTATION BY SCOTTISH EXECUTIVE ON PROPOSED LEGISLATIVE MEASURES TO INTRODUCE STRATEGIC ENVIRONMENTAL ASSESSMENT IN SCOTLAND

2. There was submitted a report dated 26 February 2004 (circulated) by the Director of Development Services which sought the views on a consultation paper entitled "Strategic Environmental Assessment: A Consultation on Proposed Legislative Measures to Introduce Strategic Environmental Assessment in Scotland" as it related to Land Use Planning under the Town and Country Planning (Scotland) Act 1997 and the functions carried out by the Department of Development Services.

It was agreed:-

- (i) to approve the contents of the report; and
- (ii) to authorise the Director of Development Services to submit a copy of this report to the Scottish Executive as representing the Council's views on the consultation.

PROPOSED EU DIRECTIVE ON THE MANAGEMENT OF WASTE FROM THE EXTRACTIVE INDUSTRIES: A CONSULTATION PAPER

3. There was submitted a report dated 26 February 2004 (circulated) by the Director of Development Services which sought the views of the Committee on a consultation paper prepared by the Scottish Executive Development Department entitled "Proposed EU Directive on the Management of Waste from the Extractive Industries" and to homologate the action taken to date.

It was agreed to approve the contents of the report and to homologate the actions taken to date.

SCOTTISH PLANNING POLICY (SPP) PLANNING FOR RURAL DEVELOPMENT: PUBLIC CONSULTATION

4. There was submitted a report dated 26 February 2004 (circulated) by the Director of Development Services which advised and sought the Committee's views on the Scottish Executive public consultation paper entitled "Scottish Planning Policy (SPP) Planning for Rural Development".

It was agreed:-

- (i) to approve the contents of the report; and
- (ii) to authorise the Director of Development Services to submit a copy of this report, together with a more detailed response on the consultation to accord with the report, to the Scottish Executive as representing the views of the Committee on the draft Scottish Planning Policy.

Councillor Macrae joined the meeting during discussion of the above item.

MONITORING AND ENFORCING MINERAL PERMISSIONS

5. There was submitted a report dated 26 February 2004 (circulated) by the Director of Development Services which (i) advised on a consultation paper entitled "Monitoring and Enforcing Mineral Permissions" prepared by the Development Department of the Scottish Executive; and (ii) which sought the views of the Committee on a series of

options proposed by the Scottish Executive in order to homologate an Officer response on the consultation.

It was agreed:-

- (i) to approve the contents of the report;
- (ii) to support in full, the principle of a statutory national fees regime for the recovery of monitoring and enforcement costs relating to mineral and land fill operations in accordance with preferred option 4, detailed in the report; and
- (iii) to authorise the Director of Development Services to submit a copy of this report to the Scottish Executive in response to the consultation paper.

Councillor Campbell joined the meeting during discussion of the above item.

CONSTITUTION FOR THE EAST AYRSHIRE COALFIELD ENVIRONMENT INITIATIVE (Item 8, Page 2852, 99/03)

6. There was submitted a report dated 1 March 2004 (circulated) by the Director of Development Services which sought approval of the Heads of Agreement between East Ayrshire Council, Scottish Coal, Scottish Natural Heritage, Royal Society for the Protection of Birds (RSPB) and the Scottish Wildlife Trust, with a view to these being adopted as a formal Constitution of the East Ayrshire Coalfield Environmental Initiative and registered as such.

It was agreed:-

- (i) to approve the heads of agreement between the Council, Scottish Coal, Scottish Natural Heritage, RSPB and the Scottish Wildlife Trust; and
- (ii) that the Head of Administrative and Legal Services circulate the Constitution for signature once confirmation has been received from the Inland Revenue that the Constitution was suitable in order to register the East Ayrshire Coalfield Environment Initiative as a charity.

COMMUNITY ENVIRONMENTAL IMPROVEMENT ACTION PLANS AND PROJECTS 2003/2004 AND 2004/2005 (Item 6, Page 211, 03/07)

7. There was submitted a report dated 26 February 2004 (circulated) by the Director of Development Services which informed of progress with the Community Environmental Improvement Action Plans and projects implemented in 2003/2004 through the Planning and Building Control Division in conjunction with the East Ayrshire Coalfield Area Social Inclusion Partnership (SIP), and outlined the Action Plans and projects to be implemented in 2004/2005.

It was agreed:-

- (i) to note the progress made in 2003/2004 on both the production of Action Plans and implementation of proposals as detailed in the report; and
- (ii) to note the programme of Environmental Improvement Action Plans and projects for 2004/2005 as detailed in Section 5 of the report.

**SCOTTISH PLANNING POLICY SPP17 PLANNING FOR TRANSPORT:
CONSULTATION DRAFT**

8. There was submitted a report dated 26 February 2004 (circulated) by the Director of Development Services which sought the views on Scottish Planning Policy SPP17 Planning for Transport: Consultation Draft.

It was agreed:-

- (i) to approve Section 3 of the report, as the Council's formal response to the Scottish Executive on the Scottish Planning Policy SPP17; and
- (ii) to request the Head of Planning and Building Control to respond to the Scottish Executive in those terms.

**PROPOSED FIRE SPRINKLERS IN RESIDENTIAL PREMISES (SCOTLAND) BILL
(Item 7, Page 2641, 99/03)**

9. There was submitted a report dated 26 February 2004 (circulated) by the Director of Development Services which informed on a consultation paper prepared by the Scottish Parliament's Committee on Fire Sprinklers in Residential Premises (Scotland) Bill.

It was agreed:-

- (i) to note the contents of the report; and
- (ii) to authorise the Director of Development Services to submit a report to the Scottish Executive on the Council's views as contained within Section 4 of the report.

PROPOSED WEIGHBRIDGE AT UNDERWOOD DEPOT

10. There was submitted a report dated 10 February 2004 (circulated) by the Director of Development Services which sought approval for (i) the purchase of a weighbridge for the Underwood Depot; and (ii) the negotiation of a single tender contract with De-Icing Management Systems Limited for its provision.

It was agreed:-

- (i) to approve the purchase of a weighbridge for Underwood Depot, and the upgrading of the existing weighbridge at Gauchalland Depot; and
- (ii) to authorise the Director of Development Services to negotiate a single tender contract with De-Icing Management Systems Limited for the provision of the equipment.

WESTRANS CORE TEAM MANAGER/JOINT TRANSPORT STRATEGY

11. There was submitted and noted a report dated 17 February 2004 (circulated) by the Director of Development Services which advised (i) on the appointment of a Manager for the WESTRANS Core Team; and (ii) on the current status on the draft WESTRANS Joint Transport Strategy.

**ON-STREET PARKING - KILMARNOCK TOWN CENTRE
(Item 20, Page 348, 03/07)**

12. There was submitted a report dated 20 February 2004 (circulated) by the Director of Development Services which (i) updated the Committee on the objections to the draft Town Centre On-Street Parking Order; and (ii) sought approval for a number of minor amendments to the Order.

It was agreed:-

- (i) to approve the amendments to the draft Parking Order as detailed in Section 4.1 of the report; and
- (ii) to convene a Special Meeting of the Development Services Committee to hear the objections that had not been withdrawn and to determine the Kilmarnock Town Centre On-Street Parking Order.

**REDUCTION OF EXISTING 50MPH SPEED LIMITS TO 30MPH SPEED LIMITS,
A719 MOSCOW**

13. There was submitted a report dated 20 February 2004 (circulated) by the Director of Development Services which sought approval for the reduction of the existing 50mph speed limit at the A719 Moscow, to 30mph speed limit.

It was agreed:-

- (i) to note the contents of the report; and
- (ii) to approve the proposal for the 30mph speed limit on the A719 Moscow, as detailed in the report, subject to securing agreement on financial contributions from the Timber Growers.

QUALITY OF LIFE FUNDING - RURAL ROUTES

14. There was submitted a report dated 19 February 2004 (circulated) by the Director of Development Services which (i) updated on proposals for improving road safety on rural routes; and (ii) requested the Committee to agree the implementation of route action plan measures on the section of the A713 from the boundary with South Ayrshire to Polnessan.

It was agreed:-

- (i) to note the contents of the report; and
- (ii) to the implementation of the route action plan measures as detailed in the report.

**KILMARNOCK TOP OF THE TOWN DEVELOPMENT PROPOSAL
(Item 2, Page 143, 03/07)**

15. There was submitted a report dated 26 February 2004 (circulated) by the Director of Development Services which advised of recent developments with the proposals to develop offices at the "Top of the Town", Kilmarnock, which included the appointment of Agents to market the site to a developer.

It was agreed:-

- (i) to note the appointment of Knight Frank to market the "Top of the Town" development site on behalf of the Council; and

- (ii) to note that further reports would be submitted to the Committee.

**WEST OF SCOTLAND LOAN FUND LIMITED - EUROPEAN REGIONAL
DEVELOPMENT FUND**

16. There was submitted and noted a report dated 26 February 2004 (circulated) by the Director of Development Services which informed of a positive outcome of a bid for European Regional Development Fund (ERDF) resources for the West of Scotland Loan Fund Limited and the impact on the Council's involvement in the Fund.

**HOUSE AND WORKSHOP SURPLUS TO REQUIREMENTS AT 84 IRVINE ROAD,
KILMARNOCK**

17. There was submitted a report dated 23 February 2004 (circulated) by the Director of Development Services which sought approval for the house and workshop at 84 Irvine Road, Kilmarnock, to be declared surplus to requirements.

It was agreed to declare the house and workshop at 84 Irvine Road, Kilmarnock, surplus to requirements, for disposal in accordance with the Council's procedures, subject to the retention of the area of land required to accommodate a potential Road Improvement Scheme as detailed in the report.

**UNIT 13, JAMES LITTLE STREET INDUSTRIAL ESTATE, BENTINCK PLACE,
KILMARNOCK**

18. There was submitted a report dated 20 February 2004 (circulated) by the Director of Development Services which sought approval to declare surplus to requirements the premises at Unit 13, James Little Street Industrial Estate, Bentinck Place, Kilmarnock.

It was agreed:-

- (i) to declare Unit 13, James Little Street Industrial Estate, Bentinck Place, Kilmarnock, surplus to requirements for the specific purpose of a disposal to the sitting tenant; and
- (ii) to remit the Director of Development Services to negotiate the terms and conditions of the proposed disposal in accordance with Council procedures.

AWARDING OF CONTRACTS

19. There was submitted and noted a report dated 18 February 2004 (circulated) by the Depute Chief Executive/Director of Corporate Resources which provided, for information, details of tenders which had been accepted as detailed in the Appendix to these Minutes.

EXCLUSION OF PRESS AND PUBLIC

20. The Committee resolved that under Section 50A(4) of the Local Government (Scotland) Act 1973, as amended, the Press and public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 6 of Schedule 7A of the Act.

APPLICATION FOR FINANCIAL ASSISTANCE - CUMNOCK COMPANY

21. There was submitted a report dated 26 February 2004 (circulated) by the Director of Development Services which sought approval to make loan funding available to a Cumnock company to allow them to acquire a vacant industrial unit, at Caponacre Industrial Estate, to allow the business to develop and expand.

It was agreed to approve the funding as outlined in Paragraph 4.1 of the report, subject to the satisfaction of the Head of Administrative and Legal Services.

**BUDGETARY CONTROL SUMMARY STATEMENT - ROADS DLO -
TRADING SERVICES TO 14 DECEMBER 2003 (PERIOD 9)**

22. There was submitted and noted a joint report dated 26 February 2004 (circulated) by the Director of Finance and the Director of Development Services which advised of the current budgetary control position and the projected out-turn for the year for the Roads DLO - Trading Services for the period ended 14 December 2003 (Period 9).

**BUDGETARY CONTROL SUMMARY STATEMENT - STREET LIGHTING
UNIT - TRADING SERVICES TO 14 DECEMBER 2003 (PERIOD 9)**

23. There was submitted a joint report dated 26 February 2004 (circulated) by the Director of Finance and the Director of Development Services which advised of the current budgetary control position and the projected out-turn for the year for the Street Lighting Unit for the period ended 14 December 2003 (Period 9).

It was agreed:-

- (i) to note the contents of the report; and
- (ii) that the Head of Planning and Building Control make arrangements for Members of the Committee to visit, for information purposes only, the housing developments at Pennylands Road and Barony Road, Auchinleck.

**BUDGETARY CONTROL SUMMARY STATEMENT -
VEHICLE MAINTENANCE DSO - TRADING SERVICES TO
14 DECEMBER 2003 (PERIOD 9)**

24. There was submitted and noted a joint report dated 26 February 2004 (circulated) by the Director of Finance and the Director of Development Services which advised of the current budgetary control position and the projected out-turn for the year for the Vehicle Maintenance DSO - Trading Services for the period ended 14 December 2003 (Period 9).

The meeting terminated at 1100 hours.

APPENDIX

<u>CONTRACT</u>	<u>SUCCESSFUL CONTRACTOR</u>	<u>AMOUNT</u>
Patching 3 North Area	Lightways Contractors Ltd., Larbert	£51,447.49
Patching General South Area	Newlay Civil Engineering, Airdrie	£40,096.35
Supply, Installation and Maintenance of a Selective Vehicle Detection System of Traffic Signals	Siemens Traffic Control, Poole	£105,462.00
Broomhill Quadrant, Kilmarnock - Lighting Improvements	Steill Inframan Ltd., Kilmarnock	£31,805.90
Footway Resurfacing - Stewarton/Kilmaurs	Alastair Dick, Darvel	£20,333.55
A70 Muirkirk - Phase 2 Lighting	McGivney Construction Ltd., Kilmarnock	£38,424.10
Footway Improvements	Wallace Dick, Darvel	£21,048.00
Verification, Costing and Advisory Service re Catrine Environmental Heritage Project	Halcrow Group, Edinburgh	£25,140.00