

**EAST AYRSHIRE COUNCIL****DEVELOPMENT SERVICES COMMITTEE****MINUTES OF MEETING HELD ON TUESDAY 19 DECEMBER 2000 AT 1002 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

**PRESENT:** Councillors Eric Ross, Stephanie Young, Daniel Coffey, Douglas Reid, Lilian MacLean, Drew McIntyre, Harry Wilson, Iain Linton, John Knapp, Finlay MacLean, Robert McDill, Eric Jackson, George Smith, Jimmy Kelly, Julie Faulds, Provost Jimmy Boyd and Councillors Robert Taylor and Jimmy Carmichael.

**ATTENDING:** David Montgomery, Chief Executive; Stephen Chorley, Director of Development Services; Alan Neish, Head of Planning and Building Control; Jim Kane, Head of Roads and Transportation; Chris Johnston, Financial Services Manager; Karl Doroszenko, Policy and Projects Manager; Julie Armstrong, Principal Administrative Officer; Karen Macleod, Solicitor; Graham Kerr, Public Relations Officer; Kerr Chalmers, Technical Officer; and Alex Hewetson, Administrative Officer.

**APOLOGIES:** Councillors Jim Raymond and Tommy Farrell.

**CHAIR:** Councillor Eric Ross, Chair.

**PLANNING APPLICATION****1.1 APPLICATION NO 00/0473/FL: MR MONTGOMERIE, ROTTENROW, BY OCHILTREE (Item 2.9, Page 1442, 99/02)**

There was submitted a report dated 5 December 2000 (circulated) by the Depute Chief Executive/Director of Corporate Resources on the decision of the Southern Local Planning Committee held on 1 December 2000 which referred consideration of this planning application to this Committee, with a recommendation that the application be approved as the proposal was substantially in compliance with the Council's Planning Policy; and an executive summary sheet and a report dated 22 November 2000 (both circulated) by the Head of Planning and Building Control on this planning application for proposed conversion of existing byre into private dwellinghouse at Rottenrow, by Ochiltree.

The Head of Planning and Building Control reported that no letters of objection had been received; summarised the planning considerations in respect of the application; and recommended: Refusal for the following reason, viz:- The proposed development is not capable of being implemented without major reconstruction of the byre walls, and would therefore not be in accordance with Policy RES 7 of the East Ayrshire Local Plan, Finalised Version.

It was agreed, that given the proposal was substantially in compliance with the Council's Planning Policy, to grant the application subject to the imposition of appropriate conditions by the Head of Planning and Building Control.

## **MONITORING REPORTS**

### **2.1 UNEMPLOYMENT IN EAST AYRSHIRE - AUGUST AND OCTOBER 2000**

There was submitted and noted a report dated 29 November 2000 (circulated) by the Director of Development Services on unemployment levels as at October 2000 for East Ayrshire and Scotland, and August 2000 for Wards and Local Committee Areas within East Ayrshire.

### **2.2 MONITORING OF PUBLIC UTILITY REINSTATEMENTS**

There was submitted and noted a report dated 1 December 2000 (circulated) by the Director of Development Services on the performance of public utilities in the reinstatement of road openings.

### **2.3 BUDGETARY CONTROL SUMMARY STATEMENT DEVELOPMENT SERVICES TO 20 OCTOBER 2000 (PERIOD 7)**

There was submitted and noted a joint report dated 1 December 2000 (circulated) by the Director of Finance and the Director of Development Services on the current budgetary control position and the projected out-turn for the year for the Department of Development Services for the period ended 20 October 2000 (Period 7).

## **EAST AYRSHIRE LOCAL PLAN - OBJECTIONS AND REPRESENTATIONS DOCUMENT AND SCHEDULE OF PROPOSED MODIFICATIONS (Item 5.6, Page 458, 99/02)**

3. There was submitted a report dated 4 December 2000 (circulated) by the Director of Development Services on the formal objections and representations received in respect of the Finalised Version of the East Ayrshire Local Plan; the Department of Development Services' suggested response to each of the objections and representations received; which presented a Schedule of Modifications proposed to be made to the Local Plan, including those modifications proposed to meet the objections received; and which sought approval of the Objections and Representations Document and the Schedule of Modifications in order to allow formal negotiation with objectors to be carried out.

The Head of Planning and Building Control reported 2 additional recommendations to the report, viz:-

- (i) to authorise the Head of Planning and Building Control to make minor textual changes to the Finalised Version of the East Ayrshire Local Plan; and
- (ii) an addition to the modified Policies as detailed in Annex 2 to the report, to reflect Crookedholm as a community in its own right and to come forward with a small-scale housing development to meet local needs.

It was agreed:-

- (i) to recommend approval of the Objection and Representation Document and the Schedule of Modifications;
- (ii) to recommend adoption of the Modified Policies as detailed in Annex 2 to the report, as a basis for the determination of all future planning applications lodged with the Council for determination;

- (iii) to recommend that the Head of Planning and Building Control be authorised to advertise the modifications detailed in the Schedule of Modifications for Objections, as required by statute;
- (iv) to authorise the Head of Planning and Building Control to make minor textual changes to the Finalised Version of the East Ayrshire Local Plan;
- (v) that an addition be made to the modified Policies as detailed in Annex 2 to the report, to reflect Crookedholm as a community in its own right and to come forward with a small-scale housing development to meet local needs;
- (vi) that the suggested Modification No (xxvii) in Annex 1 to the report, apply equally to all housing developments in East Ayrshire and it be remitted to the Head of Planning and Building Control to bring forward appropriate changes to the Local Plan when it is considered by Council;
- (vii) that the suggested Modification No (xiv) be amended to read, viz:- to 'appropriate' Miscellaneous Development Opportunity Site; and
- (viii) to authorise the Head of Planning and Building Control thereafter:-
  - (a) to enter into negotiation/discussion with individual objectors with regard to objections already made or with regard to any future objections received in respect of the modifications advertised under recommendation (iv) above; and
  - (b) to produce an updated version of the Local Plan, which would incorporate all of the agreed modifications, for in-house Council use and distribution to members of the general public upon request.

Councillor Douglas Reid joined the meeting during consideration of the above item.

#### **RURAL DIVERSIFICATION**

4. There was submitted a report dated 8 December 2000 (circulated) by the Director of Development Services on a grant of £4,000 made towards the cost of a major consultancy study into the issues associated with Rural Diversification.

It was agreed:-

- (i) to acknowledge the importance of and need for the proposed Economic Assessment of Rural Ayrshire;
- (ii) to note the participation in a jointly funded consultancy study carried out by the Scottish Agricultural College; and
- (iii) that the Director of Development Services would present a report detailing the outcomes and recommendations of the completed study to a future meeting of this Committee.

#### **2001/2002 PROGRAMME OF STRUCTURAL MAINTENANCE OF ROADS AND FOOTWAYS**

5. There was submitted a report dated 1 December 2000 (circulated) by the Director of Development Services which sought approval of the 2001/2002 programme of structural maintenance for roads and footways.

It was noted that Witch Road, Kilmarnock, described in the Kilmarnock North Local Committee Area programme for footway resurfacing, would be transferred to the Kilmarnock Central Local Committee Area programme for footway resurfacing.

It was agreed, subject to the finalisation of the Council's 2001/02 budget, to:-

- (i) approve the programme of inescapable schemes for the constructional maintenance of roads and footways; and
- (ii) to note the options (amended) to be presented to the Local Committees.

**LOCAL TRANSPORT STRATEGY (Item 5, Page 1038, 99/02)**

6. There was submitted a report dated 14 December 2000 (circulated) by the Director of Development Services which sought approval of the East Ayrshire Council Local Transport Strategy: Final Draft; and that the Local Transport Strategy be printed professionally.

It was agreed:-

- (i) to approve the Local Transport Strategy: Final Draft for submission to the Scottish Executive by 31 December 2000;
- (ii) that the Department of Corporate Development and Communications would arrange for the Local Transport Strategy to be professionally printed; and
- (iii) otherwise, to note the contents of the report.

**BUS SHELTER ADVERTISING CONTRACT (Item 10, Page 700, 99/02)**

7. There was submitted a report dated 12 December 2000 (circulated) by the Director of Development Services which advised that JCDecaux would replace the advertising bus shelters in East Ayrshire, commencing January 2001; and which sought approval for bus shelter locations which would be installed by the company.

It was agreed:-

- (i) to approve the proposed locations for bus shelters as set out in the attachment to the report;
- (ii) to authorise the Director of Development Services to identify 5 further locations for bus shelters on the basis of usage and exposure; and
- (iii) otherwise, to note the contents of the report.

**THE BANKHOUSE PLANTATION, DARVEL (PROVISIONAL) TREE PRESERVATION ORDER 2000 (Item 3, Page 1143, 99/02)**

8. There was submitted a report dated 29 November 2000 (circulated) by the Director of Development Services on the current position regarding the existing and potential future management of the Bankhouse Plantation, Darvel; and which recommended that the existing Bankhouse Plantation, Darvel (Provisional) Tree Preservation Order 2000, be confirmed.

It was agreed:-

- (i) to authorise the Head of Planning and Building Control to request the Solicitor to the Council to confirm the existing Bankhouse Plantation, Darvel (Provisional) Tree Preservation Order 2000; and
- (ii) that the contents of this report be taken into account in determining any subsequent application to fell, top or lop under the Tree Preservation Order.

### **KILMARNOCK TOWN CENTRE OFF-STREET PARKING - AMENDMENT ORDER**

9. There was submitted a report dated 14 December 2000 (circulated) by the Director of Development Services which sought approval for the "East Ayrshire Council (Use of Off-Street Parking Places and Amendment) (Kilmarnock) Order \_\_\_\_" which would permit: the introduction of charges in the East George Street Car Park; and a small increase in charges in the area covered by the Order in the Queen Street Car Park (Adjacent to the Tesco Car Park).

It was agreed:-

- (i) to approve the "East Ayrshire Council (Use of Off-Street Parking Places and Amendment) (Kilmarnock) Order 1999 (Amendment) Order \_\_\_\_" which would permit:-
- (a) the introduction of charges for parking in the East George Street Car Park; and
- (b) a small increase in charges in the area covered by the Order in the Queen Street Car Park (Adjacent to the Tesco Car Park); and
- (ii) otherwise, to note the contents of the report.

### **AYRSHIRE RAILWAY PRESERVATION GROUP - VARIATION IN THE MINUTE OF AGREEMENT**

10. There was submitted a report dated 14 December 2000 (circulated) by the Director of Development Services which recommended waiving a requirement in the Minute of Agreement between the former Strathclyde Regional Council, Ayrshire Railway Preservation Group and the Dalmellington and District Conservation Trust.

It was agreed to authorise the Solicitor to the Council to waive the Council's right to repayment of the sum of £10,000 donated by the former Strathclyde Regional Council to the Ayrshire Railway Preservation Group for the purpose of refurbishment of the Minnivey Colliery Bathhouse to allow the Ayrshire Railway Preservation Group to release the funds for investment in the installations required to introduce regular steam train services between Minnivey and Dunaskin.

### **AWARDING OF CONTRACTS**

11. There was submitted and noted a report dated 4 December 2000 (circulated) by the Depute Chief Executive/Director of Corporate Resources which provided details of the lowest satisfactory tenders which had been accepted in respect of the undernoted Department of Development Services' contracts:-

<b><u>CONTRACT</u></b>	<b><u>SUCCESSFUL CONTRACTOR</u></b>	<b><u>AMOUNT</u></b>
Galston/Cessnock Flood Prevention Scheme	Babtie Group, Glasgow	£39,805.00
A736 Duniflat Culvert Replacement	Kelburne Construction Limited, Kilmarnock	£60,590.70
Patching 3 - North Area	Lightways Contractors Limited, Larbert	£46,493.99

**EXCLUSION OF PRESS AND PUBLIC**

12. 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.

**BUDGETARY CONTROL SUMMARY STATEMENT ROADS DLO - TRADING SERVICES TO 20 OCTOBER 2000 (PERIOD 7)**

13. There was submitted and noted a joint report dated 27 November 2000 (circulated) by the Director of Finance and the Director of Development Services on the current budgetary control position and the projected out-turn for the year for the Roads DLO - Trading Services for the period ended 20 October 2000 (Period 7).

**BUDGETARY CONTROL SUMMARY STATEMENT VEHICLE MAINTENANCE DSO - TRADING SERVICES TO 20 OCTOBER 2000 (PERIOD 7)**

14. There was submitted a joint report dated 1 December 2000 (circulated) by the Director of Finance and the Director of Development Services on the current budgetary control position and the projected out-turn for the year for the Vehicle Maintenance DSO - Trading Services for the period ended 20 October 2000 (Period 7).

**WESTGATE CO-OP, NEWMILNS**

15. There was submitted a report dated 12 December 2000 (circulated) by the Director of Development Services which updated on the Westgate Project; and sought authority, if necessary, to pursue alternative means of securing ownership of the property, which would then be transferred under the terms of the Minute of Agreement to Strathclyde Building Preservation Trust.

It was agreed:-

- (i) to authorise a negotiated purchase of the lower floor at the Westgate Co-op, Newmilns, up to a total cost as described within the report and that the Solicitor to the Council would complete the legal formalities; and
- (ii) that the Solicitor to the Council would complete the compulsory purchase procedures for the upper floor of the Westgate Co-op and 20 High Street, Newmilns.

The meeting terminated at 1100 hours.

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