

EAST AYRSHIRE COUNCIL

DEVELOPMENT SERVICES COMMITTEE

**MINUTES OF SPECIAL MEETING HELD ON WEDNESDAY 25 JUNE 2003 AT
1000 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON
ROAD, KILMARNOCK**

PRESENT: Councillors Eric Ross, Maureen McKay, Jim O'Neill, Stephanie Young, Brian Reeves, Daniel Coffey, Douglas Reid, Drew McIntyre, Iain Linton, John Campbell, Ray Murray, Stuart Finlayson, Robert McDill, Eric Jackson, George Smith, Jimmy Kelly, Tommy Farrell, Elaine Dinwoodie and Jimmy Carmichael.

ATTENDING: David Montgomery, Chief Executive; Stephen Chorley, Director of Development Services; David Mitchell, Head of Administrative and Legal Services; Robert Paton, Head of Economic Development and Property; Alan Neish, Head of Planning and Building Control; Jim Kane, Head of Roads and Transportation; Keith Orton, Principal Roads Engineer; Karen McLeod, Solicitor; David Morgan, Public Relations Officer; and Robert Beaton, Administrative Officer.

APOLOGIES: Councillors John McGhee and Isabella Macrae.

CHAIR: Councillor Eric Ross, Chair.

CHAIR'S REMARKS

1. The Chair, on behalf of the Committee, welcomed to the meeting as an observer, Claire Gilmour, third year law student undertaking a work placement within Legal Services.

KILMARNOCK TOP OF THE TOWN DEVELOPMENT PROPOSALS

2. There was submitted a report dated 12 June 2003 (circulated) by the Director of Development Services which provided an update on development proposals for the Top of the Town and which sought authorisation to proceed with public consultation on changes in traffic circulation associated with the proposed development, the necessary site investigations and land acquisitions to accommodate the widening of Garden Street through the use of appropriate powers under the Roads (Scotland) Act 1984 linked to the suggested changes in traffic circulation.

It was agreed:-

- (i) to note the overall proposals set out in the Page and Park report;
- (ii) to commence public consultation, to include the Kilmarnock Town Centre Action Steering Group on the proposed changes to the town centre traffic circulation system and to report back the outcome of the consultation to a future meeting;
- (iii) to proceed with the acquisition of land required for the widening of Garden Street, including the possibility of a Compulsory Purchase Order, should this process not be completed by agreement, and subject to a final decision being taken by this Committee on whether to proceed with the project; and
- (iv) to undertake site investigations required for the widening of Garden Street.

**PROPOSED STRATEGIC TRANSPORT AUTHORITY
(Item 17, Page 2725, 99/03)**

3. There was submitted a report dated 12 June 2003 (circulated) by the Director of Development Services which recommended that the Council did not support the proposal by the Scottish Executive to establish a national Strategic Transport Authority (STA) if this would take over any of the current responsibilities of the SPT or Local Authorities.

It was agreed:-

- (i) not to support the proposal by the Scottish Executive to establish a national Strategic Transport Authority (STA) if this would take over any of the current responsibility of the SPT or Local Authorities; and
- (ii) to oppose the proposal as it would undermine democratic and local accountability.

Councillor Reeves left the meeting at this point.

PROPOSED ALTERATIONS TO HEARINGS PROCEDURE

4. There was submitted a joint report dated 12 June 2003 (circulated) by the Director of Development Services and the Depute Chief Executive/Director of Corporate Resources which recommended alterations to the hearings procedure utilised at Development Services and Local Planning Committees prior to determination of planning applications.

Councillor McDill, seconded by Councillor Reid, moved the status quo.

Councillor Ross, seconded by Councillor Smith, moved as an amendment to approve the revised hearings procedure, as detailed within the report, to be used in all hearings at Committees after the recess.

On a division by a show of hands, the amendment was carried by 12 votes to 6.

TOWARDS A STRATEGY FOR SCOTLAND'S BIODIVERSITY - CONSULTATION DOCUMENTS

5. There was submitted a report dated 12 June 2003 (circulated) by the Director of Development Services which advised of the contents of three consultation documents on Scotland's Biodiversity, their implications for the Council, and which sought the Committee's views on a provisional response by the Head of Planning and Building Control.

It was agreed:-

- (i) to send a copy of this report to the Scottish Executive as the Council's formal response to the above documents;
- (ii) to make Scottish Natural Heritage, and North Ayrshire Council, as host of the meetings of the Ayrshire Local Biodiversity Steering Group, aware of the Council's response; and
- (iii) to suggest to North Ayrshire Council that discussion of the implications of the above documents be tabled as an Agenda item for the next meeting of the Ayrshire Local Biodiversity Steering Group.

**DRAFT NATURE CONSERVATION (SCOTLAND) BILL
(Item 3, Page 1891, 99/03)**

6. There was submitted a report dated 12 June 2003 (circulated) by the Director of Development Services which advised of the contents of the Draft Nature Conservation (Scotland) Bill, Draft Financial Guidelines and Regulatory Impact Assessment, and Technical Amendments to the Conservation (Natural Habitats Etc) Regulations 1994 issued in March 2003 by the Scottish Executive which made recommendations as to how the Council should formally respond to the Scottish Executive.

It was agreed to homologate Section 5 of this report as the Council's official response to the Scottish Executive regarding the proposed Nature Conservation (Scotland) Bill with the additional point being made that the Council was concerned to ensure that implementation arrangements did not detract from the public's right of access to Sites of Special Scientific Interest areas.

CUMNOCK TOWN CENTRE (Item 9, Page 2722, 99/03)

7. There was submitted a report dated 12 June 2003 (circulated) by the Director of Development Services which updated the Committee on the progress of the work being carried out in relation to the redevelopment proposals for Cumnock Town Centre and which sought approval to develop a range of options.

It was agreed:-

- (i) to note the interim report on the work that had been carried out; and
- (ii) to approve the action plan as detailed within the report.

Councillor Jackson left the meeting at this point.

REVIEW OF AYRSHIRE JOINT STRUCTURE PLAN

8. There was submitted a report dated 12 June 2003 (circulated) by the Director of Development Services which sought to endorse the recent decision of the Structure Plan Joint Committee to prepare a replacement Ayrshire Joint Structure Plan.

It was agreed:-

- (i) to endorse the decision of the Structure Plan Joint Committee that a new Ayrshire Joint Structure Plan be prepared, with a timetable for approval in early 2005; and
- (ii) to authorise the Director of Development Services to make further representations, as appropriate, to MSPs and Ministers to obtain their support for retention of Ayrshire as a Strategic Planning Unit.

EXCLUSION OF PRESS AND PUBLIC

9. 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.

**FUNDING REQUEST - ORGANISATION - CATRINE
(Item 19, Page 2725, 99/03)**

10. There was submitted a report dated 12 June 2003 (circulated) by the Director of Development Services which (a) updated the Committee on progress on the development of a project to realise a major expansion of existing facilities for the National Autistic Society at Daldorch House, Catrine, that will provide accommodation for 27 new students and create an estimated 130 new jobs; and (b) sought approval for East Ayrshire Council to amend and transfer its previous offer of grant aid assistance for the project from the National Autistic Society to the developer Daldorch Estates Limited (DEL).

It was agreed to support the project subject to the conditions as detailed within the report.

Councillor Jackson re-joined the meeting during consideration of the above item.

UNIT 5A, BONNYTON INDUSTRIAL ESTATE, MUNRO PLACE, KILMARNOCK

11. There was submitted a report dated 9 June 2003 (circulated) by the Director of Development Services which requested that the Committee declare surplus to the Department's operational requirements the premises comprising the industrial unit and associated land at Unit 5A, Bonnyton Industrial Estate, Munro Place, Kilmarnock, for the purposes of a sale to the sitting tenant, Detection Instruments (Northern) Limited.

It was agreed:-

- (i) to declare the subjects surplus to requirements of Development Services for the purposes of a sale to the tenant, Detection Instruments (Northern) Limited; and
- (ii) to refer the matter, thereafter, to the Director of Development Services to negotiate the terms and conditions of sale and, if appropriate, to report any provisional agreement reached to the Corporate Governance Committee for consideration.

The meeting terminated at 1122 hours.