

**EAST AYRSHIRE COUNCIL****DEVELOPMENT SERVICES COMMITTEE****MINUTES OF MEETING HELD ON WEDNESDAY 15 MARCH 2000 AT 1045 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

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

**ATTENDING:** David Montgomery, Chief Executive; Stephen Chorley, Director of Development Services; Robert Paton, Head of Economic Development; Alan Neish, Head of Planning and Building Control; Bill Taylor, Head of Roads and Transportation; Chris Johnston, Financial Services Manager; Bill Walkinshaw, Principal Administrative Officer; Karen McLeod, Solicitor; Fiona Finlay, Planning Officer; Caroline McElhone, Public Relations Assistant; and Alex Hewetson, Administrative Officer.

**APOLOGIES:** Councillors Stephanie Young, Willie Coffey and Tommy Farrell.

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

**PLANNING APPLICATION****1.1 APPLICATION NO 00/0030/FL: REG VARDY PLC**

There was submitted an executive summary sheet and a report dated 9 March 2000 (both circulated) by the Director of Development Services on a full planning application for proposed retail motor showroom facilities with associated workshop, offices, external car display areas, parking, area for future motor showroom facility, access and groundworks in relation to formation of dry pond attenuation area, at Queens Drive, Kilmarnock.

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: (i) that the application be approved subject to appropriate notification to the Scottish Ministers under the Town and Country Planning (Notification of Applications) (Scotland) Direction 1997, and subject to the following conditions, viz:- (1) The development to which this permission relates must be begun within five years from the date of this permission; (2) The proposed development shall be carried out in accordance with the application form and plans received on 19 January 2000 and the amended plans received by the Planning Authority on 9 February 2000 and 25 February 2000; (3) A landscaping scheme including the treatment of the boundary of the site shall be submitted to and approved by the Planning Authority prior to the commencement of any development. The scheme shall include extensive use of shrub and tree planting to soften the boundaries of the site and vehicle display areas. The scheme shall include details of the provision to be made for the maintenance of soft and hard landscaped areas, and shall be maintained thereafter in accordance with these details; (4) The landscaping space relating to this development as part of Condition (3) above shall be laid out within the first available planting season following the retail motor showroom hereby approved

being brought into operation and shall be maintained thereafter in accordance with a maintenance scheme to be submitted to and approved by the Planning Authority prior to the commencement of development; (5) Notwithstanding the submitted plans details of the design and construction of all fences and walls to be erected on site shall be submitted to and approved by the Planning Authority before any development commences on the site and all walls and or fences to be erected on site under the terms of this condition shall be erected prior to the use hereby approved being brought into use; (6) Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (or any such order revoking or re-enacting that Order), the use of the building hereby approved shall be restricted to use as a retail motor showroom for the sale and display of new and used cars and the associated operation of a motor workshop. Any change to Class 1 retail activity authorised by the Town and Country Planning (Use Classes) (Scotland) Order 1997 shall not be permitted, without the prior written consent of the Planning Authority; (7) No consent is hereby granted for the type and distribution of external finishes as shown on the approved plans and no work shall commence on site until samples and locational details of all external materials have been submitted to and approved in writing by the Planning Authority; (8) Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984, no fascia signs, adverts or projecting signs shall be erected on the premises without the prior written consent of the Planning Authority; (9) Prior to any development commencing on site, details of the surface finishes to all parking, manoeuvring and access areas shall be submitted to and approved in writing by the Planning Authority; (10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any such order revoking or re-enacting that Order), no electricity transforming or switching equipment, gas governor or sewage pumping stations shall be erected on any part of the site without the prior written consent of the Planning Authority; (11) Prior to any works commencing on site for the development hereby approved, full details of all floodwater storage, access and flood relief mechanisms including long term maintenance schedules shall be submitted to and approved by the Planning Authority. No work shall commence on site until said details have been approved; (12) Prior to the use hereby approved being brought into operation, all measures in respect of flooding approved under the terms of Condition (11) above, shall be formed to the satisfaction of the Planning Authority; (13) This approval does not give consent for any retail motor use in respect of the area of land within the application site identified for future development and a further planning application will require to be submitted to and approved by the Planning Authority for the future use/development of that land; and (14) Trading from the premises hereby approved shall not commence before the replacement pitch indicated to the rear of the proposed motor dealership on drawing no 1680/107 Rev C (GD Lodge & Partners) has been remodelled to provide an appropriate level base suitable for subsequent surfacing as a grass football pitch; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) to ensure that development is carried out in accordance with the approved details; Condition (3) to ensure that adequate provision of open space is provided, to an adequate standard, and that it is subsequently maintained, in the interest of visual amenity; Condition (4) to ensure that open space areas are laid out in a proper manner in the interest of visual amenity; Conditions (5) and (7) in the interests of visual amenity; Condition (6) to enable the Planning Authority to retain control over future development on the site; Condition (8) to safeguard the visual

amenity of the area; Condition (9) these details have not been submitted; Condition (10) in order to retain effective planning control; Conditions (11) and (12) to ensure that proper mechanisms exist to deal with floodwater within the application site; Condition (13) in order to retain effective planning control; and Condition (14) to ensure the provision of adequate replacement sports facilities.

It was agreed to grant the application subject to appropriate notification to the Scottish Ministers under the Town and Country Planning (Notification of Applications) (Scotland) Direction 1997 and subject to the conditions and for the reasons detailed.

## **MONITORING REPORTS**

### **2.1 BUDGETARY CONTROL SUMMARY STATEMENT - DEPARTMENT OF DEVELOPMENT SERVICES TO 14 JANUARY 2000 (PERIOD 10)**

There was submitted and noted a joint report dated 24 February 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 14 January 2000 (Period 10).

### **2.2 BUSINESS GRANTS AND LOANS SCHEMES STATUS REPORT**

There was submitted and noted a report dated 28 February 2000 (circulated) by the Director of Development Services on financial support awarded under the Council's Business Grants and Loans Schemes, to local companies, in the period 6 December 1999 to 25 February 2000.

### **CAPITAL PROGRAMME 2000/2003 (Item 3, Page 616, 99/02)**

3. There was submitted a report dated 7 March 2000 (circulated) by the Director of Development Services which sought approval for the Department of Development Services' capital programme for the years 2000/01 to 2002/03.

It was agreed to approve the Department of Development Services' capital programme for the years 2000/01 to 2002/03 as detailed in the Appendix to the report.

## **INTEGRATED TRANSPORT BILL**

4. There was submitted a report dated 8 March 2000 (circulated) by the Director of Development Services on the Scottish Executive's proposals for an Integrated Transport Bill.

It was agreed:-

- (i) not to submit any formal representations at this time on the proposals by the Scottish Executive for an Integrated Transport Bill, but to reserve the right to do so and to draw the principles set out in Paragraphs 3.1 to 3.5 of the report to the attention of the Integrated Transport Bill Monitoring Team, to be established by CoSLA;
- (ii) to endorse the principles set out in Paragraph 4.1 of the report as the basis on which Council representatives would participate in discussions leading towards the establishment of transport partnerships in the West of Scotland; and

- (iii) to note that further reports on the implementation of new powers, under the Integrated Transport Bill, would be submitted to this Committee in due course.

### **WEST OF SCOTLAND ARCHAEOLOGY SERVICE: BUSINESS REVIEW**

5. There was submitted a report dated 2 March 2000 (circulated) by the Director of Development Services on the progress of current discussions regarding funding of the West of Scotland Archaeology Services and the Council's future involvement.

It was agreed:-

- (i) that the Director of Development Services, in order for the Council to protect its position and provide Best Value, would give notice of withdrawal from the West of Scotland Archaeology Service;
- (ii) that a further report recommending a way forward, once all options for the funding of the West of Scotland Archaeology Service, or an Archaeology Service, had been fully investigated, would be submitted to this Committee at a future date; and
- (iii) otherwise, to note the contents of the report.

### **SCOTTISH AWARDS FOR QUALITY IN PLANNING**

6. There was submitted a report dated 23 February 2000 (circulated) by the Director of Development Services on the result of submissions for the Scottish Executive's Awards for Quality in Planning.

It was agreed to note that East Ayrshire Council had received a commendation in the category of Development Plans and had attracted favourable comments in the categories of Opencast Coal Subject Plan and Delivery of a Decentralised Planning Application System.

### **THE SCOTTISH BUILDING CONTROL ORGANISATION (Appendix III, Page 29, 99/02)**

7. There was submitted a report dated 24 February 2000 (circulated) by the Director of Development Services which recommended the appointment, for the time being, of the Vice-Chair of Development Services Committee for the Chair of Development Services Committee, *ex-officio*, to represent the Council at the Scottish Building Control Organisation.

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### **GRANTS TO EXTERNAL BODIES AND PARTNERSHIPS 2000/01**

8. There was submitted a report dated 29 February 2000 (circulated) by the Director of Development Services which sought approval for grants to external bodies in 2000/01.

It was agreed:-

- (i) to approve the reductions in grants to external bodies and partnerships, as described in Paragraph 3 of the report; and

- (ii) to authorise the Director of Development Services to maintain other grants at current levels subject to minor adjustments which reflected the basis on which grants had previously been agreed.

### **BUSINESS LOANS MONITORING REPORT**

9. There was submitted a report dated 29 February 2000 (circulated) by the Director of Development Services on progress of its business loans activity through its involvement with the West of Scotland Loan Fund Limited; and through the granting of special loans from the Department of Development Services Capital Programme.

It was agreed:-

- (i) to note the activity of the Department of Development Services involvement in business loans to date;
- (ii) to approve the operating principles to apply to the Council's overall fund arrangements, as described in Paragraph 3 of the report;
- (iii) to note that a further report on the Service Level Agreement would be submitted to this Committee on 11 April 2000; and
- (iv) to approve the transfer of the balance of £90,000 remaining in the capital programme for business loans to the West of Scotland Loan Fund Ltd, subject to the agreement of the Director of Finance.

### **SCOTTISH POWER SERVICE LEVEL AGREEMENT RESPONSE TIMES FOR STREET LIGHTING**

10. There was submitted a report dated 25 February 2000 (circulated) by the Director of Development Services on Scottish Power's response times for repairs covered by the Service Level Agreement for Street Lighting and Furniture for 1999; the current state of negotiations with Scottish Power and Office of Gas and Electricity Markets (OFGEM) over the Service Level Agreement; and which sought approval to continue with the Service Level Agreement and to request the co-operation of CoSLA and East Ayrshire MP's to bring in a mandatory Service Level Agreement for Street Lighting power supply.

It was agreed:-

- (i) to note the Service Level Agreement figures for 1999 and the Department of Development Services ongoing action to improve them;
- (ii) to note the current state of negotiations with Scottish Power and OFGEM over the Service Level Agreement;
- (iii) to approve the continuation of the voluntary Service Level Agreement until such time as a statutory agreement is reached; and
- (iv) to authorise the Director of Development Services to request CoSLA and East Ayrshire MP's to bring pressure on OFGEM to introduce a mandatory Service Level Agreement for the supply of power to street lighting and furniture.

### **AWARDING OF CONTRACTS**

11. There was submitted and noted a report dated 23 February 2000 (circulated) by the Director of Corporate Services which provided details of the lowest satisfactory

tenders which had been accepted in respect of the undernoted Department of Development Services' contracts:-

<u>CONTRACT</u>	<u>SUCCESSFUL CONTRACTOR</u>	<u>AMOUNT</u>
Auchinleck Footway Works	J H Moodie, Dalmellington	£17,309.80
Footway Works, Northern Area	Wallace Dick & Sons, Darvel	£18,804.12
Footway Resurfacing, Darvel	Wallace Dick & Sons, Darvel	£15,629.00
U8/10 Broomhill Bridge Replacement	Lymburn Contractors, Dalrymple	£33,987.45
Kilmarnock - Altonhill Phase 1 Lighting Improvements	J J Boyle Ltd, Edinburgh	£21,055.00
Supply and Delivery of One Demountable Single Compartment Hotbox, 4m <sup>3</sup> Capacity Vehicle	Econ Engineering Ltd, Ripon	£15,373.94
Supply and Delivery of 2 x 17T GVW Chassis Cab 3 Way Tipper/Gritter Combinations	Lex Commercials, Glasgow	£127,313.66
Supply and Delivery of 2 x 10T GVW Chassis Cab Tipper/Gritter Combinations	Lex Commercials, Glasgow	£96,087.66
Supply and Delivery of 2 x 7.5T GVW Crew Cab Tipper	Lex Commercials, Glasgow	£70,156.00

### **EXCLUSION OF PRESS AND PUBLIC**

12. The Committee resolved that under Section 50(A) 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.

### **MONITORING REPORTS**

#### **13.1 BUDGETARY CONTROL SUMMARY STATEMENT ROADS DLO - TRADING SERVICES TO 14 JANUARY 2000 (PERIOD 10)**

There was submitted and noted a joint report dated 24 February 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 14 January 2000 (Period 10).

### **13.2 BUDGETARY CONTROL SUMMARY STATEMENT VEHICLE MAINTENANCE DSO - TRADING SERVICES TO 14 JANUARY 2000 (PERIOD 10)**

There was submitted and noted a joint report dated 24 February 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 14 January 2000 (Period 10).

### **TRANSPORT SERVICES - PROCUREMENT ARRANGEMENTS AND TRANSPORT SERVICES UNIT BUSINESS OPERATING PLAN**

14. There was submitted a report dated 9 March 2000 (circulated) by the Director of Development Services on current procurement arrangements for transport services; and which sought approval for the Transport Services Unit Business Operating Plan for 2000/01.

It was agreed:-

- (i) to approve the Transport Services Unit Business Operating Plan for the Transport Services Unit for the year 2000/01;
- (ii) to reaffirm the current policy which sought to procure fleet management and vehicle maintenance services in-house in the first instance, wherever possible, and subject to value for money continuing to be secured;
- (iii) to note that the delivery of Transport Services Unit the Business Operating Plan would depend on the participation of client Departments in the Service Level Agreement; and
- (iv) to note that a further report, following preliminary investigations of fleet procurement options to achieve better value within the Council's transport costs across all Departments, would be submitted to this Committee at a future date.

The meeting terminated at 1128 hours.