

# **EAST AYRSHIRE COUNCIL**

## **DEVELOPMENT SERVICES COMMITTEE**

**MINUTES OF MEETING HELD ON THURSDAY 29 FEBRUARY 1996  
AT 1400 HOURS**

**IN THE MEETING ROOM, LONDON ROAD CENTRE, KILMARNOCK**

**PRESENT:** Councillors George Turnbull, Andrew McIntyre, Irene Reeves, David Fulton, Robert McDill, Eric Ross, David Sneller and Thomas Farrell

**ATTENDING:** David Montgomery, Chief Executive; Barbara Haughan, Director of Support Services; Stephen Chorley, Director of Development Services; Robert Paton, Head of Economic Development; William Taylor, Head of Roads and Transportation; Alan Neish, Head of Planning and Building Control; George Fraser and Valerie Murdoch (Support Unit).

**APOLOGIES:** Councillors Douglas Reid, Wilma Doyle, Ronald Brailsford, John Knapp, Daniel Coffey and James Boyd.

**CHAIR:** Councillor George Turnbull (Chair)

### **1. DRAFT ESTIMATES 1996/97 - GENERAL SERVICES**

#### **1.1 Finalised Savings and Growth Packages**

There was submitted a report dated 20 February 1996 (circulated under cover of the Special Policy and Resources Committee of 27 February 1996) by the Director of Finance advising of the latest position, now that finalised figures had been obtained in respect of the 1996/97 Budget and recommending that the Committee determine final allocations for each of the service committees and that those Committees be requested to finalise savings and growth packages to align service delivery plans with the final allocations for 1996/97 taking into account the views and comments made during the Council's public consultation exercise.

It was agreed to note the contents of the report.

## **1.2 Remit from the Policy and Resources Committee of 27 February 1996**

There was submitted a remit (minute extract circulated) from the above Committee in respect of the remit that the Development Services Committee finalise savings and growth packages for Development Services to align service delivery plans with the final financial allocations for 1996/97 as determined by the Special Policy and Resources Committee at its meeting on 27 February 1996.

It was agreed to note the remit.

## **1.3 Development Services Savings and Growth Proposals**

There was submitted a report dated 27 February 1996 (circulated) by the Director of Development Services detailing a package of measures to align the service delivery plans with the final financial allocations for 1996/97 taking into account the views and comments made during the Council's public consultation exercise.

In this regard, the Committee heard the comments of the Director of Development Services who explained the nature of the proposals pertaining to possible savings and growth within the Development Services revenue budget for 1996/97; and recommended that the Committee should (a) approve the savings and growth proposals detailed within the report; (b) confirm to the Policy and Resources Committee that General Fund Development Services would therefore align with the allocation of financial resources by that Committee at its meeting of 27 February 1996; and (c) recommend adoption of the savings and growth proposals to the Policy and Resources Committee at its meeting of 4 March 1996.

It was agreed to approve the proposals contained within the report referred to above.

## **2. PLANNING SUB-COMMITTEE**

### **2.1 MINUTES**

There were submitted and approved Minutes of the Planning Sub-Committee of 25 January 1996 (circulated) as shown in Appendix 1 to these Minutes.

### **2.2 PROPOSED SCHEME OF DELEGATION OF PLANNING APPLICATIONS**

There was submitted a report dated 22 February 1996 (circulated) by the Director of Development Services outlining a number of issues raised at the Planning Sub-Committee Meeting of 25 January 1996 and providing recommendations on these issues for approval of the Committee. It was agreed:

- (a) to request the Council to delegate "full powers" in the determination of planning applications to the Development Services Committee;
- (b) that with regard to a proposal to revise the Terms of Reference of the Planning Sub-Committee a report be brought to the next meeting;
- (c) to ask the Head of Planning and Building Control in conjunction with the Chair to prepare guidelines for Local Committees incorporating local hearings procedures for dealing with planning applications;
- (d) that appropriate quorums for Local Committee meetings at which planning applications are to be determined be set by Local Committees in the light of advice being sought from the Head of Legal Services and the Scottish Office and a report being submitted to the Policy and Resources (Decentralisation) Sub-Committee; and
- (e) to agree that planning hearings be dealt with by *Ad Hoc* meetings of the Development Services Committee with full powers to determine the outcome of the hearing.

### **3. REVENUE BUDGET FOR DEVELOPMENT SERVICES**

It was noted that this item was dealt with under Item 1.3.

### **4. CONTRIBUTION TO THE OPERATING COSTS OF PTA SERVICES INCLUDING CONCESSIONARY FARES**

It was reported by the Director of Development Services and noted that the budget for the Passenger Transport Authority had been set on 28 February 1996 and represented an increased cost of £12,000 to East Ayrshire Council for supporting existing PTA services which was less than the sum allowed for in the Committee's draft budget.

### **5. ROAD FAULT REPORTING SYSTEM**

There was submitted a report dated 22 February 1996 (circulated) by the Director of Development Services seeking approval to continue to use the Roads and Lighting Fault System (RALF) currently provided by Strathclyde Regional Council which would be taken over on 1 April 1996 by the City of Glasgow Council.

It was agreed that the Director of Development Services negotiate with City of Glasgow Council to continue to provide a Roads and Lighting Fault reporting system for East Ayrshire at a cost of up to £10,000 per annum.

### **6. CONTRACT ACCEPTANCE - ROADS CAPITAL AND REVENUE**

There was submitted a report dated 22 February 1996 (circulated) by the Director of Development Services seeking agreement on a policy for the issue of contract acceptances in respect of Capital and Revenue roads projects.

It was agreed:

- (i) that once estimates have been approved for specified revenue and capital schemes, the Head of Roads and Transportation would prepare a contract and invite tenders from contractors on the Council's approved list.
- (ii) that tenders would be returned to the Director of Support Services, opened in the presence of any one Elected Member, and checked by the Head of Roads and Transportation.
- (iii) that the Director of Support Services should be authorised to accept tenders provided that the tendered cost did not exceed the approved estimate by more than 10% and that the lowest tender was accepted.
- (iv) that in cases where the tender cost exceeds the approved estimate by more than 10% or it is recommended that a tender other than the lowest should be accepted, the approval of the Development Services Committee will be required. Otherwise the tender would be accepted by the Committee which approved the original scheme estimate; and
- (v) that Committee approval would be required if, during the contract period it appeared, or at the end of a contract it was proven, that a contract would exceed the tendered sum by more than 10%.
- (vi) that in the event that the contract costs would exceed tendered (or accepted) sum by more than 10%, Committee approval would be required in respect of the excess costs.

## **7. ROAD TRAFFIC REGULATION ORDERS**

There was submitted a report dated 22 February 1996 (circulated) by the Director of Development Services seeking approval for proposed arrangements for dealing with Traffic Regulation Orders and seeking approval for the method of dealing with formal objections.

It was agreed:

- (i) that the Director of Development Services be authorised to promote Traffic Regulation Orders;
- (ii) to alter the remit of the Planning Sub-Committee to allow it to hear appeals against the proposed Traffic Regulation Orders;
- (iii) to seek delegation from Council to allow both the Development Services Committee and the Planning Sub-Committee to approve Traffic Regulation Orders; and
- (iv) to delegate to the Director of Development Services and the Head of Roads and Transportation the determination of temporary Traffic Regulation Orders.

## **8. SCHOOL CROSSING PATROLS**

There was submitted a joint report dated 20 February 1996 (circulated) by the Directors of Development Services and Commercial Operations appraising members of the Committee of the arrangements for the delivery of the School Crossing Patrol Service within East Ayrshire. It was agreed to approve the proposed arrangements for the provision of School Crossing Patrols.

## **9. OFF-STREET PARKING CHARGES, KILMARNOCK**

There was submitted a report dated 22 February 1996 (circulated) by the Director of Development Services seeking approval to proceed with a Traffic Regulation Order to amend the Strathclyde Regional Council Use of Off-Street Parking Places (Outwith Glasgow) Order 1981 to allow an increase in parking charges in the paying car parks in Kilmarnock.

It was agreed:

- (i) to promote an amendment to the Strathclyde Regional Council Use of Off-Street Parking Places (Outwith Glasgow) Order 1981 to alter the changes in Kilmarnock off-street car parks to the amounts shown below:
  - up to 1 hour 30p
  - up to 2 hours 60p
  - up to 4 hours £1.20
  - over 4 hours £1.80
  - Quarterly Season Ticket £60.00 + VAT
  - Annual Season Ticket £200.00 + VAT
- (ii) to implement a Public Consultation Exercise in due course to review parking policy to assist the commercial viability of Kilmarnock and Cumnock town centres; and
- (iii) that a further report be submitted to a future meeting concerning the issue of long-term parking in Kilmarnock and Cumnock town centres.

## **10. TAXICARD AND DIAL-A-BUS FUTURE ARRANGEMENTS**

There was submitted a report dated 22 February 1996 (circulated) by the Director of Development Services informing the Committee of a recent evaluation of services for disabled people provided by Strathclyde Passenger Transport Executive's Dial-a-Bus and Pilot TaxiCard services.

It was agreed:

- (i) to inform the Passenger Transport Executive that a high value is placed on the continuation of the Dial-a-Bus provision within East Ayrshire after 1 April 1996; and
- (ii) that although TaxiCards provided a good service to its users, the cost of the service would be too expensive.

## **11. M77 FENWICK TO MALLETSHEUGH**

There was submitted a report dated 20 February 1996 (circulated) by the Director of Development Services recommending support for the proposed M77 from Fenwick to Malletsheugh and the submission of evidence to the Public Inquiry setting out the economic development benefits of the proposed road.

It was agreed:

- (i) to inform the Scottish Office that the Council strongly supports the early completion of the proposed new road;
- (ii) to request the Director of Development Services to draw up evidence for submission to the Public Inquiry setting out the economic development case for the road, in conjunction with Enterprise Ayrshire and the other Ayrshire authorities; and
- (iii) to release staff as required to assist in the completion of technical evidence for the Public Inquiry.

## **12. BUSINESS DEVELOPMENT PROGRAMMES**

There was submitted a report dated 22 February 1996 (circulated) by the Director of Development Services seeking approval for the operation of a range of business development and advice programmes from 1 April 1996.

It was agreed:

- (i) to approve the programmes and budget allocations as shown in Appendix 2 to these minutes and authorise the Director of Development Services to draw up full guidelines and operational procedures in accordance with the principles set out in that Appendix;
- (ii) to note that reports on the programmes would be produced at six-monthly intervals, highlighting impact and value for money; and
- (iii) to note that a number of these programmes would be decentralised to the proposed East Ayrshire Business Service Company.

## **13. LOCAL BUSINESS DEVELOPMENT SERVICES**

There was submitted a report dated 22 February 1996 (circulated) by the Director of Development Services seeking approval for the structure of delivery of Local Business Development Services and the nature of services to be decentralised from Development Services Economic Development Budget.

It was agreed:

- (i) to note the outcome of the consultation process on local business services and the key points of the consultant's report;
- (ii) to establish East Ayrshire Business Services, subject to support from Enterprise Ayrshire and the existing Local Enterprise Trusts;
- (iii) to approve in principle to the proposed constitution of East Ayrshire Business Services including the Board membership and the role of the Executive Committee as the basis for detailed discussion with Enterprise Ayrshire and other sponsors;
- (iv) that the Head of Economic Development be instructed to work with the partners in drawing up a business plan and new staffing structure for East Ayrshire Business Services in order to put in place operational arrangements for 1 April 1996; and
- (v) to note the possible transitional arrangements on funding.

## **14. GRANTS TO PARTNERSHIPS AND SPECIAL PROJECTS**

There was submitted a report dated 11 February 1996 (circulated) by the Director of Development Services recommending levels of support to partnerships and special projects falling within the remit of the Development Services Committee and representation of the management board of organisations where appropriate. The recommended levels of support were also subject to approval by the Council of the Committee's draft budget at its meeting on 5 March 1996.

It was agreed to approve grants to partnerships and special projects and representation on management boards as set out in Appendix 3 to these minutes, and referred the matter of nominating representatives to the full Council.

## **15. CUMNOCK INITIATIVE PROPOSALS**

There was submitted a supplementary report dated 27 February 1996 (circulated) by the Director of Development Services recommending approval in principle for the incorporation of the staff of the Cumnock Initiative into the mainline establishment of the Development Services Department.

It was agreed:

- (i) to approve in principle to the transfer of the staff of the Cumnock Initiative into the mainline establishment of the Development Services Department, subject to final approval of the draft budget by the Council; and
- (ii) to refer the proposal to the Personnel Sub-Committee of the Policy and Resources Committee for approval of the consequential changes required in the establishment of the department.

## **16. SCOTTISH WHITE PAPER ON RURAL POLICY**

There was submitted a report dated 20 February 1996 (circulated) by the Director of Development Services:

- (i) informing members of the publication of the Scottish Office White Paper on Rural Policy and provide a brief overview of its main content;
- (ii) providing an assessment of the approach adopted for the rural areas within East Ayrshire Council; and
- (iii) recommending a response to the Scottish Office on specific issues raised in the White Paper.

It was agreed that the Director of Development Services:

- (i) write to the Scottish Office
  - (a) welcoming the emphasis on issues within rural communities brought about by the production of the White Paper;

- (b) restating the particular difficulties faced by rural communities within East Ayrshire and the need for these to be addressed in future government research and guidance on rural issues.
- (c) welcoming the establishment of a partnership framework for rural areas and in particular the setting up of the Rural Partnership Fund but questioning the adequacy of the resources being allocated to it.
- (ii) write to CoSLA highlighting the comments the Council has made to the Scottish Office on the White Paper; and
- (iii) obtain clarification with regard to the use of RECHAR funding in relation to the proposed Scottish Rural Partnership Fund.

## **17. REVIEW OF CHARGES WITHIN PLANNING AND BUILDING CONTROL**

There was submitted a report dated 22 February 1996 (circulated) by the Director of Development Services creating a scheme of charges for various aspects within the Planning and Building Control Service.

It was agreed that the Head of Planning and Building Control implement, from 1 April 1996, the proposed scheme of charges as detailed below, viz:-

	<u>Fee</u>
Letters of Comfort	150
Copies of Document	30
Copies of Decisions and Plans	40
Copies of Location Plans	20 (10 copies)
Search of Register	50
Section 23 Licensing Certificate	50

## **18. SCOTTISH OFFICE CONSULTATION PAPER - FLOOD PREVENTION : REVIEW OF RESPONSIBILITIES AND LEGISLATION**

There was submitted a report dated 22 February 1996 (circulated) by the Director of Development Services outlining the contents of a consultation paper recently received on responsibilities and legislation in relation to flood prevention, and recommending a response to the Scottish Office.

It was agreed:

- (i) that the Scottish Office be informed that the Council, whilst welcoming the recognition of the importance of undertaking flood prevention measures in Kilmarnock and the proposed extension of the powers to act in certain circumstances, cannot support the proposals unless

- (a) adequate resources were made available;
  - (b) either the emphasis on a Flood Prevention Scheme as a solution was removed, or a more supportive approach to the approval of a Flood Prevention Scheme was adopted;
  - (c) implications in terms of property blight and numbers of planning appeals were worked out in more detail.
- (ii) that the proposed provision for electors to apply to the Sheriff is confrontational and exacerbates the situation particularly since the process concentrates on technical issues without building in a specific occasion for consideration of the opportunity cost of a successful application.
  - (iii) that the proposed new power to act in an emergency cannot be supported unless further safeguards are introduced; and
  - (iv) to request the Scottish Office to consider the provision of additional borrowing consent to allow the Council to match Scottish Office finance without altering the original budget status.

## **19. PREPARATION OF A FLOOD ALLEVIATION PLAN**

There was submitted a report dated 22 February 1996 (circulated) by the Director of Development Services outlining the current situation on development of a Flood Alleviation Plan for the Kilmarnock area and making recommendations with regard to steps towards an approved Flood Prevention Scheme.

It was agreed:

- (i) to note the progress on the Hydrological Study of the River Irvine and tributaries;
- (ii) to note that immediate mitigation measures were under investigation and that the District and Regional Councils will take action;
- (iii) to note that the Director of Development Services would consider further remedial action to be undertaken after 1 April;
- (iv) to approve expenditure of up to £7,000 towards the cost of an options study to be commissioned from Babbie, Shaw & Morton; and
- (v) to receive regular monitoring and updating reports to further meetings of the Committee.

## **20. CONTRACT FOR ELECTRICAL POWER FOR STREET LIGHTING**

There was submitted a report dated 27 February 1996 (circulated) by the Director of Development Services seeking approval to agree a contract for electrical supply for street lighting with Scottish Power.

It was agreed to authorise the Director of Development Services to accept the contract with Scottish Power incorporating a 7.8% discount and the detailed conditions for the supply of street lighting electricity.

The meeting terminated at 1445 hours.