

**EAST AYRSHIRE COUNCIL****DEVELOPMENT SERVICES COMMITTEE****MINUTES OF MEETING HELD ON TUESDAY 9 MAY 2000 AT 1003 HOURS IN  
THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,  
KILMARNOCK**

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

**ATTENDING:** Fiona Lees, Depute 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; Bill Walkinshaw, Principal Administrative Officer; John Lilley, Principal Planner; David Mitchell, Principal Solicitor; Graham Kerr, Public Relations Officer; and Alex Hewetson, Administrative Officer.

**APOLOGY:** Councillor Douglas Reid.

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

**MONITORING REPORT - STATISTICAL ANALYSIS OF DEVELOPMENT  
PROMOTION AND BUILDING CONTROL**

1. There was submitted and noted a report dated 3 May 2000 (circulated) by the Director of Development Services on a statistical analysis of the Development Promotion and the Building Control functions.

Councillor Eric Jackson left the meeting at this point.

**EAST AYRSHIRE OPENCAST COAL SUBJECT PLAN - OBJECTIONS AND  
REPRESENTATIONS DOCUMENT AND SCHEDULE OF PROPOSED  
MODIFICATIONS (Item 7, Page 3967, 96/99)**

2. There was submitted a report dated 27 April 2000 (circulated) by the Director of Development Services on formal objections and representations received in respect of the Finalised Version of the East Ayrshire Opencast Coal Subject Plan; the Department of Development Services' suggested response to each of the objections and representations received; a Schedule of Modifications which it was proposed should be made to the Subject 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.

Councillor Julie Faulds, seconded by Councillor Iain Linton, moved:-

- (i) to delete Paragraph 4.2 (ii) of the report; and
- (ii) to amend Policy MIN 26(v) of the Modified Policies document, circulated as Appendix II to this report: `the extraction or operational areas do not encroach

within 100 metres', to read, viz:- 'the extraction or operational areas do not encroach within 500 metres'.

Councillor Eric Ross, seconded by Councillor George Smith, moved as an amendment:-

- (i) to approve the Objection and Representation Document, previously lodged in each Political Party's Group Room, and the Schedule of Modifications document, circulated as Appendix I to the report;
- (ii) to authorise the Head of Planning and Building Control:-
  - (a) to advertise the modifications detailed in the Schedule of Modifications for objections, as required by statute; and
  - (b) to enter into negotiation/discussion with the individual objectors with regard to objections already made or with regard to any future objections received in respect of the advertised Schedule of Modifications; and
- (iii) to recommend the adoption of the Modified Policies document circulated as Appendix II to the report, as the basis for the determination of all future opencast coal related planning applications lodged with the Council for determination.

On a division by a show of hands, the amendment was carried by 9 votes to 7.

### **SUB-NATIONAL POPULATION PROTECTIONS**

3. There was submitted a report dated 19 April 2000 (circulated) by the Director of Development Services on recently published population projections for East Ayrshire; and steps taken to investigate the reasons for the future downward trends estimated by the General Register Office for Scotland.

It was agreed:-

- (i) to note the General Register Officer for Scotland publication on population projections for East Ayrshire; and
- (ii) to note that the Director of Development Services had arranged a meeting with the General Register Office for Scotland for further explanation of the migration estimates for East Ayrshire and would report thereon to a future meeting of this Committee.

### **DRAFT SCOTTISH FORESTRY STRATEGY (Item 3, Page 184, 99/02)**

4. There was submitted a report dated 27 April 2000 (circulated) by the Director of Development Services on the contents of the Draft Scottish Forestry Strategy and its potential implications for the promotion of related development in the context of the East Ayrshire Finalised Local Plan and the developing Indicative Forestry Strategy for Ayrshire.

It was agreed:-

- (i) to authorise the Head of Planning and Building Control to respond to the Forestry Commission on the Draft Scottish Forestry Strategy in the terms described in Paragraphs 4 and 6 of the report;
- (ii) that the Director of Development Services would:-

- (a) examine the feasibility of the establishment of a Trust Fund related to forestry activities in East Ayrshire with a view to the provision of funding for maintenance and road repairs caused by forestry related vehicular traffic; and
- (b) explore whether any recompense is available from the Scottish Executive in relation to damage sustained to roads by forestry related vehicular traffic; and
- (iii) that a report on options which may be available to the Council to address the issue of potential road damage by forestry related vehicular traffic and restoration thereof be submitted to the next meeting of this Committee to be held on 6 June 2000; and
- (iv) otherwise, to note the contents of the report.

Provost Jimmy Boyd and Councillor Daniel Coffey joined the meeting during discussion of this item.

**MUIRKIRK UPLANDS - NOTIFICATION OF DESIGNATION OF THE AREA AS A SITE OF SPECIAL SCIENTIFIC INTEREST (SSSI) AND MUIRKIRK AND NORTH LOWTHER UPLANDS CONSULTATION ON PROPOSAL TO CLASSIFY THE AREA AS A SPECIAL PROTECTION AREA (SPA)**

5. There was submitted a report dated 27 April 2000 (circulated) by the Director of Development Services which sought views on the Notification by Scottish Natural Heritage of the designation of the Muirkirk Uplands as a Site of Special Scientific Interest (SSSI) and the proposal to classify this area as part of the Muirkirk and North Lowther Uplands Special Protection Area (SPA).

It was agreed:-

- (i) to authorise the Head of Planning and Building Control:-
  - (a) to respond to Scottish Natural Heritage on the Notification of the SSSI in respect of the Muirkirk Uplands and the consultation on the SPA in respect of the North Lowther Uplands in terms which would offer no objection or representation to the proposal; and
  - (b) to forward to Scottish Natural Heritage the requested information described in Paragraphs 5.1 and 5.2 of the report; and
- (ii) otherwise, to note the contents of the report.

**ANALYSIS OF APPEAL DECISIONS 1 NOVEMBER 1999 TO 31 MARCH 2000**

6. There was submitted a report dated 3 May 2000 (circulated) by the Director of Development Services on an analysis of Appeal Decisions received from the Scottish Executive for the period 1 November 1999 to 31 March 2000 and providing information on issues under the Scheme of Delegation for planning applications which would be considered by Council during the regular review of the Scheme of Delegation.

It was agreed:-

- (i) that an analysis of Appeals Decisions received from the Scottish Executive be submitted to this Committee at 6 monthly intervals; and

- (ii) that the Director of Development Services submit a further report on options available to assist Local Planning Committees in their deliberations of planning applications.

### **REVIEW OF THE LOCAL ENTERPRISE NETWORK**

7. There was submitted a report dated 26 April 2000 (circulated) by the Director of Development Services which recommended a response to the Scottish Executive's current consultation on the future of the Local Enterprise Network (Scottish Enterprise National and the Local Enterprise Companies).

It was agreed to authorise the Director of Development Services to submit a response to the Scottish Executive's consultation on the future of the Local Enterprise Network (Scottish Enterprise National and the Local Enterprise Companies), based on the principles described in Paragraphs 4.1, 5.1 and 6.1 of the report.

### **IMPROVEMENTS TO GAUCHALLAND ROADS DEPOT**

8. There was submitted a report dated 20 April 2000 (circulated) by the Director of Development Services which sought approval of improvements to Gauchalland Roads Depot.

It was agreed to approve in principle the provision of a new access and office accommodation at Gauchalland Depot without prejudice, subject to appropriate planning permission.

### **STREET LIGHTING REPLACEMENT CAPITAL PROGRAMME 2000/01 (Item 3, Page 773, 99/02)**

9. There was submitted a report dated 17 April 2000 (circulated) by the Director of Development Services which sought approval for the proposed street lighting replacement capital programme for 2000/01.

It was agreed to approve the street lighting capital replacement programme for financial year 2000/01 described in Paragraph 3.1 of the report.

### **DAMAGE TO BRIDGE NO. C104/20, WINDYHILL ROAD RAILWAY BRIDGE, NEWMILNS**

10. There was submitted and noted a report dated 19 April 2000 (circulated) by the Director of Development Services on current progress of negotiations with AXA Insurance, which act on behalf of the haulier who caused damage to Windyhill Road Railway Bridge.

Councillor Jimmy Carmichael left the meeting during discussion of this item.

### **SUBSIDISED BUS FARES INCREASE**

11. There was submitted a report dated 26 April 2000 (circulated) by the Director of Development Services which sought approval to increase subsidised bus fares within that part of the Council boundary outwith the Strathclyde Passenger Transport Authority designated area by 2.5%, effective from Sunday 28 May 2000.

It was agreed to approve an increase in subsidised bus fares of 2.5% within that part of the Council area outwith the Strathclyde Passenger Transport Authority area, effective from Sunday 28 May 2000.

Councillor Jimmy Carmichael re-joined the meeting during discussion of this item.

Councillor Jim Raymond left the meeting during discussion of this item.

### **AWARDING OF CONTRACTS**

12. There was submitted and noted a report dated 18 April 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><b>CONTRACT</b></u>	<u><b>SUCCESSFUL CONTRACTOR</b></u>	<u><b>AMOUNT</b></u>
Vehicle Maintenance - South	Kerr & Smith, Cumnock	Schedule of Rates
Urban Herbicide (Roads and Hard Landscaping) 2000	Land Engineering (Scotland) Ltd, Fenwick	£43,995.80
Patching, North Area	Lightways Contractors Ltd, Larbert	Up to a maximum of £50,000
Removal, Supplying and Laying of Superimposed Road Marking Materials and Supply and Fixing of Road Studs, Annual Contract 2000/01	Prismo Ltd, West Lothian	£29,264.00

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

13. 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 item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 6 of Schedule 7A of the Act.

#### **CUMNOCK COMPANY IN RECEIVERSHIP (Item 2, Page 802, 99/02)**

14. There was submitted and noted a report dated 2 May 2000 (circulated) by the Director of Development Services on recent developments at a Cumnock company in receivership.

The meeting terminated at 1126 hours.