

**EAST AYRSHIRE COUNCIL****DEVELOPMENT SERVICES COMMITTEE****MINUTES OF SPECIAL MEETING HELD ON FRIDAY 14 JUNE 1996  
AT 1100 HRS IN CUMNOCK TOWN HALL, CUMNOCK**

**PRESENT:** Councillors George Turnbull, Irene Reeves, Douglas Reid, John Knapp, David Fulton, Eric Ross, David Sneller, George Smith and Tommy Farrell.

**ATTENDING:** Alan Neish, Head of Planning and Building Control; Bill Walkinshaw, Principal Administrative Officer; Stuart Norville, Senior Engineer; Hugh Melvin, Planning Assistant, Anna Gallagher, Solicitor; and Alex Hewetson, Administrative Officer.

**APOLOGIES:** Councillors Andrew McIntyre, Wilma Doyle, Daniel Coffey, Robert McDill and James Boyd.

**CHAIR:** Councillor George Turnbull, Chair.

**DECLARATION OF INTEREST**

1. Councillor Sneller declared a non-direct pecuniary interest in the undernoted application and left the meeting.

**FORMAL PLANNING HEARING - PLANNING APPLICATION -  
WILLIAM GRANT MINING AND THE RACKWOOD COLLIERY CO**

2. The Chairman welcomed all present to the Hearing which was being held to hear the objectors and applicant and to determine the undernoted planning application, viz:-

**PLANNING APPLICATION NO CD/95/0254/MIN** - Proposed extraction of coal by opencast method at Skares Road, Skares.

Submitted in respect of the application, report dated 18 April 1996 by the Director of Development Services summarising all relevant information in relation to the application. Submitted also note of procedure (circulated) to be followed at the Hearing.

Reported that 13 letters and 1 petition (28 signatures) of objection and four letters of support had been received.

One further letter of objection received restating previously submitted letter of objection.

The Head of Planning and Building Control:

- (i) explained the procedure to be followed at the Hearing; and
- (ii) reported that the application was consistent with approved development plans. In principle the proposal accorded with all policy requirements, including that of the Draft Minerals Subject Plan. The development would have some adverse impact on the amenity of the community of Skares for 11 years or longer if the operators did not find sufficient markets for the coal extracted. However, it would make a beneficial contribution to the local economy, and restoration would result in the provision of enhanced environmental features. The applicants had agreed in principle to

comprehensive conditions to secure the proper management of site development, and had indicated that they would enter into a Section 50 Agreement. It was recommended that the application should be approved subject to conditions and that the decision should be issued upon the registering of the Section 50 Agreement, since it was consistent with the Development Plan and the benefits of the proposed development would outweigh the adverse impact on local amenity.

The two objectors and a representative were then heard in support of their objections.

The Committee proceeded to put questions to the objectors and representative for clarification of certain points.

The applicant's representatives were heard in support of the application.

The Committee put questions to the applicant's representatives for clarification of certain points.

The objectors and representative responded to issues raised by the applicant.

The applicant's representatives responded to new issues raised by the objectors.

The Chair then closed the Hearing and the Committee proceeded to consider the application.

Councillor Ross, seconded by Councillor Smith moved that:

- (i) the Committee indicate its intention to approve the application subject to the conditions and for the reasons detailed in the report; and
- (ii) that the applicant be required under the terms of the proposed Section 50 Agreement as detailed in the report, to negotiate the inclusion of the transportation of the coal from area A identified in the report for years 1 and 2 of the development from Knockshinnock Disposal Plant outside New Cumnock and in addition the negotiations include the transportation of as much coal as possible by rail from areas B to F from year 3 onwards.

Councillor Turnbull, seconded by Councillor Farrell, moved as an amendment that the Committee:

- (i) indicate its intention to approve the application subject to the conditions and for the reasons detailed in the report; and
- (ii) agree that further consideration be continued pending the recording in the Register of Sasines of a Section 50 Agreement with the applicants to secure site restoration, site management arrangements to protect the environment and a contribution to the Minerals Trust and in addition inclusion of;
  - (a) the undertaking given by the applicants that there would be no through site traffic within Skares and Ochiltree in the first two years of the site operation; and
  - (b) a traffic management scheme for vehicles leaving and entering the site.

On a division by a show of hands, the amendment defeated the motion by five votes to three.

The meeting terminated at 1234 hrs.