

EAST AYRSHIRE COUNCIL**DEVELOPMENT SERVICES COMMITTEE****MINUTES OF MEETING HELD ON TUESDAY 14 APRIL 1998 AT 1000 HOURS IN
THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

PRESENT: Councillors Drew McIntyre, Douglas Reid, Ron Brailsford, Provost Robert Stirling and Councillors John Knapp, Daniel Coffey, Jim Kelly, David Sneller, Jimmy Boyd, George Smith, Jimmy Carmichael and Robert Taylor.

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; Bill Walkinshaw, Principal Administrative Officer; Karen Macleod, Senior Solicitor; and Alex Hewetson, Administrative Officer.

APOLOGIES: Councillors Kathleen Hall, David Fulton, Kim Nicoll, George Turnbull, Robert McDill and Tommy Farrell.

CHAIR: Councillor Drew McIntyre, Chair.

PLANNING APPLICATIONS**1.1 APPLICATION NO 97/0710/FL AND APPLICATION NOS 97/0711/FL AND 98/0868/LB: RAITHMUIR DEVELOPMENTS (Item 2.2, Page 3103)**

It was agreed to continue consideration of this item, to provide an opportunity for all relevant parties who had objected to the proposals, to address a planning Hearing, at a future meeting of this Committee.

1.2 APPLICATION NO 97/0909/OL: MR S WILSON (Item 1.3, Page 3153)

There was submitted a report dated 30 March 1998 (circulated) by the Director of Support Services on the decision of the Special Meeting of the Southern Local Planning Committee held on 16 March 1998 regarding this planning application and requesting this Committee to consider and determine the planning application and a report dated 4 February 1998 (circulated) by the Head of Planning and Building Control on this outline planning application for proposed erection of a dwellinghouse at Millbrae, Drongan.

It was noted that a site visit had taken place prior to this Committee.

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: Refusal for the following reasons, viz:- (1) The proposed development is considered contrary to Policy CAT1A of the Strathclyde Structure Plan which states that proposals for development within the Countryside Around Towns will require to be justified on basis of specific locational need and no such justification has been established; (2) The proposed development is contrary to Policy RES 16 of the Adopted Mauchline-Drongan, Ochiltree Local Plan and Policy RES 13 of the Finalised Cumnock and Doon Valley District Wide Local Plan which states that in areas designated as Countryside Around Towns there will be a presumption against residential and other developments in the countryside, except where there is a proven, specific locational need. No specific locational need has

been proven; (3) The proposed development is contrary to both the Council's Development Control policy on Residential Development in the Countryside appended to the Finalised Cumnock and Doon Valley District Wide Local Plan and to the "Roads Development Guide" because the proposed access is unacceptable in terms of highway safety as the achievable visibility splays at the site are considered inadequate; and (4) If permitted this proposal would set an undesirable precedent for future development in this area which would eventually result in the ribboning out of development from the western side of the village of Drongan to the detriment of the amenity of the locality.

Councillor Knapp, seconded by Councillor McIntyre, moved that the application be refused for the reasons detailed.

Councillor Carmichael, seconded by Councillor Brailsford, moved as an amendment, to grant the application on the grounds:-

- (i) that notwithstanding the approved Development Guidelines in relation to sightlines, it was considered that the sightlines specific to this proposal were adequate; and
- (ii) that justification for a specific locational need in this case had been satisfied.

On a division by a show of hands, the motion was carried by six votes to five.

MONITORING REPORTS

2.1 UNEMPLOYMENT IN EAST AYRSHIRE - FEBRUARY 1998

There was submitted a report dated 7 April 1998 (circulated) by the Director of Development Services providing statistics recently released by the Office for National Statistics relating to unemployment figures in Great Britain and Scotland and East Ayrshire in particular, in February 1998.

It was agreed:-

- (i) to remit to the Director of Development Services to submit a report, on the position regarding the Travel to Work Areas, as they affect East Ayrshire, to this Committee at the meeting to be held on 26 May 1998; and
- (ii) otherwise to note the contents of the report.

2.2 STATISTICAL ANALYSIS OF DEVELOPMENT PROMOTION ACTIVITIES: 1 APRIL 1997 - 31 MARCH 1998

There was submitted and noted a report dated 3 April 1998 (circulated) and Appendices to the report by the Director of Development Services on a statistical analysis and commentary on the operation of the Local Planning Committees in the second year of the Council and the Enforcement Activities of the Department of Development Services.

2.3 BUSINESS GRANTS AND LOANS SCHEME STATUS REPORT

There was submitted and noted a report dated 31 March 1998 (circulated) by the Director of Development Services on grant and loan support awarded to companies in East Ayrshire during the period 23 February to 31 March 1998.

CAPITAL PLAN 1998/99 - 2000/2001

3. There was submitted a report dated 26 March 1998 (circulated) by the Director of Development Services seeking approval of the Department of Development Services Capital Plan for 1998/1999 - 2000/2001.

The Director of Development Services advised the Committee of an amendment to the annex to the report to the effect that under the heading; Bridges, £50,000 allocated in the 1999/2001 column, to Dalgain Bridge, should be inserted in the category; Unspecified.

It was agreed:-

- (i) to approve the Capital Plan set out in the annex, as amended, to the report; and
- (ii) to approve the allocations for environmental improvement projects to the Local Committees, as detailed below:

(a)	Cumnock Area Local Committee	£25,000	(from	Cumnock
			Initiative funds)	
(b)	Doon Valley Local Committee	£15,000	(from	Cumnock
			Initiative funds)	
(c)	Irvine Valley Local Committee	£15,000		
(d)	Kilmarnock South Local Committee	£15,000		
(e)	Kilmarnock Central Local Committee	£15,000		
(f)	Kilmarnock North Local Committee	£15,000		
(g)	Northern Area Local Committee	£10,000;		
- (iii) to remit to the Director of Development Services to submit a report, on the activities of Cumnock Initiative and other local initiatives involved in supporting community environmental projects throughout East Ayrshire, to this Committee in due course; and
- (iv) otherwise to note the contents of the report.

EAST AYRSHIRE EMPLOYMENT INITIATIVE LIMITED - UPDATE REPORT

4. There was submitted a report dated 27 March 1998 (circulated) by the Director of Development Services on progress on the establishment of the East Ayrshire Employment Initiative Limited in respect of the delivery of the Government's New Deal Programme throughout the country,

It was agreed:-

- (i) to note the positive progress made in the formation of the new East Ayrshire Employment Initiative Limited;
- (ii) that progress reports would be submitted to this Committee at six monthly intervals for information and consideration; and
- (iii) to invite George Fraser, Chief Executive, East Ayrshire Employment Initiative, to submit a report, on the Government's New Deal Programme as it affects East Ayrshire, to this Committee in due course.

STRATEGIC ROADS - UPDATE

5. There was submitted a report dated 30 March 1998 (circulated) by the Director of Development Services on recent discussions on upgrading the strategic roads network into East Ayrshire, in particular the A/M77, including a recent meeting with The Scottish Office Minister responsible, Henry McLeish, MP.

The Chair apprised the Committee of the receipt and content of correspondence from the Minister for Home Affairs, Devolution and Transport, Henry McLeish, MP, setting out his conclusions from the meeting which concurred with the observations of the Director of Development Services, as outlined in Paragraph 3 of the report.

It was agreed to note the continuing action being taken to secure further investment in improvement in the strategic accesses to Ayrshire including the A/M77, A71 and A70.

THE PUBLIC POUND - AYRSHIRE JOINT STRUCTURE PLAN COMMITTEE

6. There was submitted a report dated 26 March 1998 (circulated) by the Director of Development Services on the performance of the Ayrshire Joint Structure Plan Committee and on its budgetary position in 1997/98, in terms of the Code of Guidance on Funding of External Bodies following the Public Pound.

It was agreed:-

- (i) to note the operation of the Ayrshire Joint Structure Plan Committee in the context of the Code of Guidance on Funding of External Bodies; and
- (ii) to note the projected out-turn costs for 1997/98 and the estimated costs for 1998/99 for the Ayrshire Joint Structure Plan Committee which indicated a 4% cut in budget as detailed in an Appendix to the report.

CUMNOCK AND DOON VALLEY MINERALS TRUST

7.1 Declarations of Interest

Councillor Sneller declared a non-pecuniary interest in this item in terms of the National Code of Local Government Conduct and left the meeting.

Councillors Kelly, Carmichael and Taylor declared an interest in this item in terms of Paragraph 12b of the National Code of Local Government Conduct.

7.2 Consideration of Item

There was submitted a report dated 9 April 1998 (circulated) by the Director of Development Services on the activities of the Cumnock and Doon Valley Minerals Trust in the year to 31 March 1997 and grants approved to 31 January 1998.

It was agreed in relation to a number of points raised by Councillor Reid:-

- (i) that the audited accounts of the Minerals Trust to 31 March 1997 and 1998 would be circulated by the Director of Development Services to Members of this Committee as soon as they become available;
- (ii) that with regard to details of the relationship between the Trust/Council/Cumnock Municipal Bank, that the position of the Cumnock Municipal Bank in relation to the Council would be reported on by the Director of Finance and to note that the enquiry related to details of the relationship between the Trust and the Bank was a matter which should be raised direct with the Secretary of the Minerals Trust for response; and

- (iii) that with regard to 5 planning permissions that contained a condition requiring contributions to a Trust prior to the Mineral Trust's establishment, the Director of Development Services would respond to Councillor Reid's enquiry.

Councillor McIntyre, seconded by Councillor Boyd, moved that the Committee note the report on the activities of the Cumnock and Doon Valley Minerals Trust.

Councillor Reid, seconded by Councillor Brailsford, moved as an amendment that consideration of this item be continued pending a further detailed report on the issues raised including the level of non-pecuniary support given to the Trust by the Council.

On a division by a show of hands, the motion was carried by eight votes to three.

Councillor Sneller re-joined the meeting.

GOLD STAR PLANNING ENQUIRY SERVICE

8. There was submitted a report dated 26 March 1998 (circulated) by the Director of Development Services on the proposed format for the introduction of a new service where information on planning applications and constraints on land use are linked to a digital map base (Geographical Information System (GIS)) which can be available to anyone interested beyond the Council's existing Property Enquiry System.

It was agreed:-

- (i) to support the introduction of this product in the terms described in Paragraph 3 of the report; and
- (ii) otherwise to note the contents of the report.

RECHARGES FOR ROADS RELATED SERVICES

9. There was submitted and noted a report dated 25 March 1998 (circulated) by the Director of Development Services on Roads Services for which a charge was made.

PROVISION OF DISABLED PERSONS PARKING BAYS

10. There was submitted a report dated 25 March 1998 (circulated) by the Director of Development Services on a review of the system for providing disabled person's parking bays on public roads.

It was agreed:-

- (i) to seek Local Committees views on the proposals contained within the report, particularly in relation to the provision of disabled parking bays within garden spaces; and
- (ii) to continue consideration of this item until Local Committees had responded.

ROAD TRAFFIC REDUCTION ACT 1997: DRAFT GUIDANCE TO LOCAL AUTHORITIES

11. There was submitted a report dated 27 March 1998 (circulated) by the Director of Development Services on Draft Guidance issued by The Scottish Office on the requirements of the Road Traffic Act, 1997, and seeking approval for further consultations with The Scottish Office and other Ayrshire Local Authorities and for the Director of Development Services to respond to The Scottish Office on the Draft Guidance.

It was agreed:-

- (i) to note the contents of the Road Traffic Reduction Act, 1997 Draft Guidance to Local Authorities;
- (ii) to authorise the Director of Development Services to undertake initial consultations with The Scottish Office and other Ayrshire Authorities to establish the resource and cost implications of determining existing traffic movements, preparing future traffic forecasts and preparing the report required under the terms of the Road Traffic Reduction Act, 1997; and
- (iii) to remit to the Director of Development Services to respond to The Scottish Office on the resource and cost implications for East Ayrshire Council and other issues relevant to the Draft Guidance to Local Authorities.

SCOTTISH POWER SERVICE LEVEL AGREEMENT

- 12.** There was submitted a report dated 24 March 1998 (circulated) by the Director of Development Services seeking authorisation to sign a Service Level Agreement with Scottish Power for the provision of electricity for street lighting.

It was agreed to authorise the Director of Development Services to sign the Service Level Agreement with Scottish Power for the provision of electricity for street lighting, which include proposed response times to repair Scottish Power faults in supplies to street lights, as detailed in an Appendix to the report.

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 13 of Schedule 7A of the Act.

PROPOSED TREE PRESERVATION ORDER: DALRYMPLE

- 14.** There was submitted a report dated 24 March 1998 (circulated) by the Director of Development Services recommending that certain trees in Dalrymple be designated under a Tree Preservation Order.

It was agreed:-

- (i) that in view of the importance of the trees to the amenity of the area identified within Paragraph 3 of the report that they be given formal protection under a Tree Preservation Order;
- (ii) to authorise the Head of Legal Services to re-serve and re-advertise a Tree Preservation Order under Section 160 of the Town and Country Planning (Scotland) Act 1997 in respect of the trees; and
- (iii) to remit to the Head of Planning and Building Control to request the owners of the trees to undertake necessary maintenance works to them as set out in Paragraph 2.4 of the report, these works to be carried out under the supervision of an Officer of the Department of Community Services.

The meeting terminated at 1127 hours.