

EAST AYRSHIRE COUNCIL**DEVELOPMENT SERVICES COMMITTEE****MINUTES OF MEETING HELD ON TUESDAY 24 NOVEMBER 1998 AT 1003 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

PRESENT: Councillors Drew McIntyre, Wilma Doyle, Kathleen Hall, John Knapp, Daniel Coffey, David Fulton, George Turnbull, Robert McDill, Eric Ross, Jim Kelly, David Sneller, Jimmy Boyd, George Smith and Jimmy Carmichael.

ATTENDING: Stephen Chorley, Director of Development Services; Robert Paton, Head of Economic Development; Alan Neish, Head of Planning and Building Control; Sandy Gillat, Acting Head of Roads and Transportation; Bill Walkinshaw, Principal Administrative Officer; Ian Arnott, Chief Management Accountant; Karen McLeod, Solicitor; Lorraine Russell, Accountancy Assistant; and Alex Hewetson, Administrative Officer.

APOLOGIES: Councillors Douglas Reid and Ronald Brailsford, Provost Robert Stirling and Councillor Robert Taylor.

CHAIR: Councillor Drew McIntyre, Chair.

PLANNING APPLICATIONS**1.1 APPLICATION NO 98/0643/OL: RPS CAIRNS****1.1.1 Declaration of Interest**

Councillors Sneller and Kelly, declared a non-pecuniary interest in terms of Clause 12(b) of the National Code of Local Government Conduct in respect of the following items 1.1 to 1.6 inclusive.

1.1.2 The Administrative Officer reported that no objectors were present and the representative of the applicant who was present had intimated he did not wish to address the Committee.

There was submitted a report dated 28 October 1998 (circulated) by the Director of Development Services on an outline planning application for proposed erection of residential development, Allanvale, Dunlop.

The Head of Planning and Building Control reported that 3 letters of objection had been received, details of which were contained within the report; summarised the planning considerations in respect of the application and recommended:- That the application be approved subject to appropriate notification to the Secretary of State under the Notification of Applications (Scotland) Direction 1997 and subject to the following conditions, viz:- (1) In the case of the reserved matters specified below, application for approval must be made not later than the expiration of three years beginning with the date of this permission; (2) That the development to which this permission relates must be begun not later than the expiration of five years from the date of this permission or within the expiration of two years from the final approval of all reserved matters, whichever is the later; (3) The proposed development shall be carried out in accordance with the application form received on 22 September 1998 and the amended plans received by the Planning Authority on 28 October 1998; (4)

Before any development commences on the site, the further approval of the Planning Authority shall be obtained in respect of the undermentioned matters hereby reserved: (a) the layout of the site; (b) the size, height, design and external appearance of the proposed dwellinghouses; (c) the means of drainage and sewage disposal; (d) details of the access arrangements; (e) the provision for open space; (f) the provision for car parking; (g) the boundary walls/fences to be erected; (h) the landscaping of the site; and (i) finished site levels/floor levels; (5) Details submitted under Condition No 3 above shall provide for access to be taken from Allanvale; and (6) Details submitted under Condition No 3 above shall provide for landscaping, including the planting of hedgerows, along the north and west boundaries of the site; Conditions (1) and (2) being imposed to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997; Condition (3) to ensure that development is carried out in accordance with the approved details; Condition (4) the approval is in outline only; Condition (5) in the interest of road safety; and Condition (6) in the interest of visual amenity.

It was agreed to grant the application subject to appropriate notification to the Secretary of State under the Notification of Applications (Scotland) Direction 1997 and subject to the conditions and for the reasons detailed.

1.2 APPLICATION NO 98/0630/OL: RPS CAIRNS

There was submitted a report dated 6 November 1998 (circulated) by the Director of Development Services on an outline planning application for proposed residential development on land at Dundonald Road, Kilmarnock.

The Head of Planning and Building Control reported:-

- (i) the receipt of a representation by Grange Howard Community Council which would be dealt with at the future detail stage of the application; and
- (ii) that 3 letters of objection had been received, details of which were contained within the report.

The Head of Planning and Building Control summarised the planning considerations in respect of the application; and recommended:- That the application be approved subject to appropriate notification to the Secretary of State under the Notification of Applications (Scotland) Direction 1997 and subject to the following conditions, viz:- (1) In the case of the reserved matters specified below, application for approval must be made not later than the expiration of three years beginning with the date of this permission; (2) That the development to which this permission relates must be begun not later than the expiration of five years from the date of this permission or within the expiration of two years from the final approval of all reserved matters, whichever is the later; (3) Before any development commences on the site, the further approval of the Planning Authority shall be obtained in respect of the undermentioned matters hereby reserved: (a) the layout of the site; (b) the size, height, design and external appearance of the proposed dwellinghouses; (c) the means of drainage and sewage disposal; (d) details of the access arrangements; (e) the provision for open space; (f) the provision for car parking; (g) the boundary walls/fences to be erected; (h) the landscaping of the site; and (i) finished site levels/floor levels; (4) Prior to the commencement of works on the site, the applicant shall satisfy himself as to the suitability of the site for construction purposes; (5) The details to be submitted under Condition (3) above shall ensure the following:- (i) the connection onto Dundonald Road should be via a single T-junction constructed to Roads Division standards; (ii)

no additional accesses will be permitted onto Dundonald Road; (iii) the junction will require to be located to achieve sightlines of 90 metres by 4.5 metres to the east and 160 metres by 4.5 metres to the west; and (iv) pedestrian access to the site will be via the footway on Dundonald Road, a new footway will require to be constructed along the frontage of the site to join the existing footway at No 214 Dundonald Road; (6) The details to be submitted under Condition (3) above shall provide for the height of all buildings on the site to be restricted to two storeys and to be constructed with pitched roofs; and (7) The details to be submitted under Condition (3) above shall ensure that no house is located within 20 metres of the carriageway edge and that there is substantial tree screening in this area; Conditions (1) and (2) being imposed to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997; Condition (3) the approval is in outline only; Condition (4) in the interest of public safety; Condition (5) in the interest of highway safety; Condition (6) to ensure that the development is compatible with the surrounding area in the interest of visual amenity; and Condition (7) to form a noise attenuation zone and lessen the impact of traffic movement on the A71.

It was agreed to grant the application subject to appropriate notification to the Secretary of State under the Notification of Applications (Scotland) Direction 1997 and subject to the conditions and for the reasons detailed.

1.3 APPLICATION NO 98/0666/OL: RPS CAIRNS

There was submitted a report dated 9 November 1998 (circulated) by the Director of Development Services on an outline application for proposed residential development at Lomond Avenue, Hurlford.

The Head of Planning and Building Control reported:-

- (i) an additional condition, to read; "No dwelling shall be occupied on the site until traffic calming measures are in place in the length of Lomond Avenue approaching the site. Details of the measures and of their location in Lomond Avenue shall be submitted to and approved by the Planning Authority prior to the commencement of development. (NB this planning permission does not carry with it either planning permission or roads construction consent for the traffic calming measures), in the interest of road safety"; and
- (ii) that 5 letters of objection representing 7 objectors and a petition objecting to the proposal containing 32 signatures, 7 of which had no addresses identified, had been submitted, details of which were contained within the report.

The Head of Planning and Building Control summarised the planning considerations in respect of the application; and recommended:- That the application be approved subject to appropriate notification to the Secretary of State under the Notification of Applications (Scotland) Direction 1997 and subject to the following conditions, viz:- (1) In the case of the reserved matters specified below, application for approval must be made not later than the expiration of three years beginning with the date of this permission; (2) That the development to which this permission relates must be begun not later than the expiration of five years from the date of this permission or within the expiration of two years from the final approval of all reserved matters, whichever is the later; (3) Before any development commences on the site, the further approval of the Planning Authority shall be obtained in respect of the undermentioned matters hereby reserved: (a) the layout of the site; (b) the size, height, design and external appearance of the proposed dwellinghouses; (c) the means of drainage and sewage

disposal; (d) details of the access arrangements; (e) the provision for open space; (f) the provision for car parking; (g) the boundary walls/fences to be erected; (h) the landscaping of the site; and (i) finished site levels/floor levels; (4) Details submitted under Condition (3) above shall provide for development of no greater than 2 storey in height; (5) Details submitted under Condition (3) above shall provide for an area of open space at the east end of the development, extending along the entire east boundary of the site. Such area shall coincide with and therefore preclude development over existing mine shafts; whose stability shall be confirmed in writing by the developer within the details submitted further to this condition; (6) During the construction of housing on this site, the developer shall ensure that no mud or other material is carried onto the public roads and any material which is carried onto such roads shall be swept from the road surface as it arises; (7) The details to be submitted further to Condition (3) above shall provide clarification of fencing/enclosure of the site during the construction process; and (8) No dwellings shall be occupied on the site until traffic calming measures are in place in the length of Lomond Avenue approaching the site. Details of the measures and of their location in Lomond Avenue shall be submitted to an approved by the Planning Authority prior to the commencement of development (NB this planning permission does not carry with it either planning permission or roads construction consent for the traffic calming measures). Conditions (1) and (2) being imposed to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997; Condition (3) the approval is in outline only; Condition (4) to ensure the development is of a scale compatible with surrounding development in the interest of visual amenity; Condition (5) to provide a landscape feature upon entry to the site and to create a buffer area between the residential development and the adjacent industrial use, in the interest of visual and residential amenity; Condition (6) and (8) in the interest of road safety; and Condition (7) to restrict access in the interests of public safety and thereby to limit the potential for mud and other material being carried from the site.

It was agreed to grant the application subject to appropriate notification to the Secretary of State under the Notification of Applications (Scotland) Direction 1997 and subject to the conditions and for the reasons, as amended, detailed.

1.4 APPLICATION NO 98/0636/OL: R P S CAIRNS

There was submitted a report dated 5 November 1998 (circulated) by the Director of Development Services on an outline planning application for proposed residential development at Finlayson Drive, Kilmarnock.

The Head of Planning and Building Control reported that one letter of representation had been received, details of which were contained within the report; summarised the planning considerations in respect of the application; and recommended:- That the application be approved subject to appropriate notification to the Secretary of State under the Notification of Applications (Scotland) Direction 1997 and subject to the following conditions, viz:- (1) In the case of the reserved matters specified below, application for approval must be made not later than the expiration of three years beginning with the date of this permission; (2) That the development to which this permission relates must be begun not later than the expiration of five years from the date of this permission or within the expiration of two years from the final approval of all reserved matters, whichever is the later; (3) The proposed development shall be carried out in accordance with the application form received on 22 September 1998

and the amended plans received by the Planning Authority on 29 October 1998; (4) Before any development commences on the site, the further approval of the Planning Authority shall be obtained in respect of the undermentioned matters hereby reserved: (a) the layout of the site; (b) the size, height, design and external appearance of the proposed dwellinghouses; (c) the means of drainage and sewage disposal; (d) details of the access arrangements; (e) the provision for open space; (f) the provision for car parking; (g) the boundary walls/fences to be erected; (h) the landscaping of the site; and (i) finished site levels/floor levels; (5) Details under Condition (3) above, shall provide for access to the site being taken from Finlayson Drive; and (6) Details submitted under Condition (4) above, shall provide for dwellings no greater than 2 storey in height; Conditions (1) and (2) being imposed to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997; Condition (3) to ensure that development is carried out in accordance with the approved details; Condition (4) the approval is in outline only; Condition (5) in the interest of road safety; and Condition (6) in the interest of visual amenity.

It was agreed to grant the application subject to appropriate notification to the Secretary of State under the Notification of Applications (Scotland) Direction 1997 and subject to the conditions and for the reasons detailed.

1.5 APPLICATION NO 98/0637/OL: RPS CAIRNS

There was submitted a report dated 5 November 1998 (circulated) by the Director of Development Services on an outline planning application for proposed erection of residential development at Amlaird Road, 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:- That the application be approved subject to appropriate notification to the Secretary of State under the Notification of Applications (Scotland) Direction 1997 and subject to the following conditions, viz:- (1) In the case of the reserved matters specified below, application for approval must be made not later than the expiration of three years beginning with the date of this permission; (2) That the development to which this permission relates must be begun not later than the expiration of five years from the date of this permission or within the expiration of two years from the final approval of all reserved matters, whichever is the later; (3) The proposed development shall be carried out in accordance with the application form received on 22 September 1998 and the amended plans received by the Planning Authority on 28 October 1998; (4) Before any development commences on the site, the further approval of the Planning Authority shall be obtained in respect of the undermentioned matters hereby reserved: (a) the layout of the site; (b) the size, height, design and external appearance of the proposed dwellinghouses; (c) the means of drainage and sewage disposal; (d) details of the access arrangements; (e) the provision for open space; (f) the provision for car parking; (g) the boundary walls/fences to be erected; (h) the landscaping of the site; and (i) finished site levels/floor levels; (5) Details submitted in pursuance of Condition (4) above shall provide for dwellings not greater than 2 storeys in height; and (6) The details to be submitted further to Condition (3) above shall provide for a junction access to Amlaird Road having sightlines of $X = 4.5\text{m}$ and $Y = 90\text{m}$ and a width of 5.5m ; Conditions (1) and (2) being imposed to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997; Condition (3) to ensure that development is carried out in accordance with the approved details; Condition (4) the approval is in outline only;

Condition (5) in the interests of residential amenity; and Condition (6) in the interests of road safety.

It was agreed to the grant the application subject to appropriate notification to the Secretary of State under the Notification of Applications (Scotland) Direction 1997 and subject to the conditions and for the reasons detailed.

1.6 APPLICATION NO 98/0638/OL: RPS CAIRNS

There was submitted a report dated 6 November 1998 (circulated) by the Director of Development Services on an outline planning application for proposed residential development at Kirkland Avenue, Kilmarnock.

The Head of Planning and Building Control reported:-

- (i) an additional condition, to read; "No dwellings shall be occupied on the site until traffic calming measures are in place in the road network approaching the site. Details of the measures and of their location in Altonhill Avenue, Woodhill Avenue, and the length of Kilmaurs Road between its junction with Woodhill Avenue and 2 Kilmaurs Road shall be submitted to and approved by the Planning Authority prior to the commencement of development. (NB This planning permission does not carry with it either permission or roads construction consent for the traffic calming measures), in the interest of road safety"; and
- (ii) that one letter of objection had been received, details of which were contained within the report.

The Head of Planning and Building Control summarised the planning considerations in respect of the application; and recommended:- That the application be approved subject to appropriate notification to the Secretary of State under the Notification of Applications (Scotland) Direction 1997 and subject to the following conditions, viz:- (1) In the case of the reserved matters specified below, application for approval must be made not later than the expiration of three years beginning with the date of this permission; (2) That the development to which this permission relates must be begun not later than the expiration of five years from the date of this permission or within the expiration of two years from the final approval of all reserved matters, whichever is the later; (3) The proposed development shall be carried out in accordance with the application form received on 22 September 1998 and the amended plans received by the Planning Authority on 28 October 1998; (4) Before any development commences on the site, the further approval of the Planning Authority shall be obtained in respect of the undermentioned matters hereby reserved: (a) the layout of the site; (b) the size, height, design and external appearance of the proposed dwellinghouses; (c) the means of drainage and sewage disposal; (d) details of the access arrangements; (e) the provision for open space; (f) the provision for car parking; (g) the boundary walls/fences to be erected; (h) the landscaping of the site; and (i) finished site levels/floor levels; (5) That details submitted in pursuance of Condition (4) above shall provide specific landscaping and acoustic screening along the boundary coloured blue on the approved plans; (6) Details submitted under Condition (4) above shall provide for development no greater than 2 storeys in height; (7) Prior to the commencement of works on the site, the applicant shall satisfy himself as to the suitability of the site for construction purposes; and (8) No dwellings shall be occupied on the site until traffic calming measures are in place in the road network approaching the site. Details of the measures and of their location in Altonhill

Avenue, Woodhill Avenue, and the length of Kilmaurs Road between its junction with Woodhill Avenue and 2 Kilmaurs Road shall be submitted to and approved by the Planning Authority prior to the commencement of development (NB This planning permission does not carry with it either planning permission or roads construction consent for the traffic calming measures); Conditions (1) and (2) being imposed to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997; Condition (3) to ensure that development is carried out in accordance with the approved details; Condition (4) the approval is in outline only; Condition (5) in the interest of residential amenity; Condition (6) to ensure the development is of a scale compatible with surrounding development, in the interest of residential amenity; Condition (7) in the interest of public safety; and Condition (8) in the interest of road safety.

It was agreed to grant the application subject to appropriate notification to the Secretary of State under the Notification of Applications (Scotland) Direction 1997 and subject to the conditions and for the reasons, as amended, detailed.

1.7 APPLICATION NO 98/0307/FL: WILLIAM YOUNG LIMITED (Item 1.4, Page 3808)

There was submitted a report dated 29 October 1998 (circulated) by the Director of Support Services on the decision of the Special Meeting of the Central Local Planning Committee held on 9 October 1998 regarding this planning application and requesting this Committee to consider and determine the planning application and a report dated 31 August 1998 (circulated) by the Head of Planning and Building Control on this full planning application for erection of high level parking deck and alteration to access road, West Langlands Street, 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: Refusal for the following reasons, viz:- (1) The proposed development is contrary to the terms of Policy IN3 of the Finalised Kilmarnock and Loudoun District Plan in that the proposal cannot be adequately serviced; and (2) The proposed development would be detrimental to road safety by reason of increasing and intensifying the use of a sub standard road junction.

It was agreed that as the proposal provided the means of achieving increased parking provision for the existing development and would increase the viability of the business units, the negative aspects of the road safety and site servicing implications, on this occasion, were outweighed, the application be granted and that it be remitted to the Head of Planning and Building Control to impose suitable conditions requiring planting and maintenance of the area underneath the stilts of the car park.

MONITORING REPORTS

2.1 UNEMPLOYMENT IN EAST AYRSHIRE - SEPTEMBER 1998

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

2.2 BUDGETARY CONTROL SUMMARY STATEMENT - DEVELOPMENT SERVICES TO 9 OCTOBER 1998 (PERIOD 7)

There was submitted and noted a joint report dated 5 November 1998 by the Acting 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 9 October 1998 (Period 7).

2.3 BUSINESS GRANTS AND LOAN SCHEME STATUS REPORT

There was submitted and noted a report dated 9 November 1998 (circulated) by the Director of Development Services on grant and loan support awarded to companies in East Ayrshire during the period 1 October to 13 November 1998.

2.4 STATISTICAL ANALYSIS OF DEVELOPMENT PROMOTION AND BUILDING CONTROL ACTIVITIES - 1 OCTOBER 1997 TO 31 MARCH 1998 AND 1 APRIL TO 30 SEPTEMBER 1998

There was submitted and noted a report dated 3 November 1998 (circulated) by the Director of Development Services on a statistical analysis of the Development Promotion and Building Control functions for the periods 1 October 1997 to 31 March 1998 and 1 April to 30 September 1998.

CONFERENCES ATTENDED

- There was submitted and noted a report dated 10 November 1998 (circulated) by the Director of Development Services on recent Conferences attended by members of staff of the Department of Development Services and Elected Members.

AWARDING OF TENDERS

- There was submitted and noted a report dated 4 November 1998 (circulated) by the Director of Support Services providing details of the lowest satisfactory tenders which had been awarded in respect of the undernoted Department of Development Services contracts:-

<u>CONTRACT</u>			<u>SUCCESSFUL CONTRACTOR</u>	<u>AMOUNT</u>
Glencraig Column Drongan	Street Replacement,	Area	J J Boyle, Edinburgh	£45,279.00
Conversion Dynamics, Business Park,	of Datum Thistle		Thomson Construction, Ayr	£28,838.25

CAPITAL PLAN 1998/2001 - ADJUSTMENTS

- There was submitted a report dated 19 November 1998 (circulated) by the Director of Development Services recommending adjustments to the Department of Development Services Capital Plan for the period 1998/2001.

The Director of Development Services reported:-

- that Paragraph 3.1.3 of the report had been withdrawn; and

- (ii) an additional recommendation, to read; “consideration of the phasing of the allocation for flood prevention in the context of the New Challenge Fund Allocation of £1.2m to be referred to the Policy and Resources Committee”.

It was agreed:-

- (i) to approve the adjustments to the Department of Development Services Capital Programme for the period 1998/2001 as detailed in Paragraph 3, as amended, of the report and summarised in the Appendix, as amended, to the report; and
- (ii) to refer consideration of the phasing of the allocation for flood prevention, in the context of the New Challenge Fund allocation of £1.2m to the Policy and Resources Committee.

REVIEW OF SCOTTISH PLANNING POLICY GUIDANCE FOR OPENCAST COAL (Item 10.2, Page 2600)

The Chair reported it was intended to discuss Items 6 and 7 together as the issues were related.

6.1 Declaration of Interest

Councillor Sneller declared a non-pecuniary interest in terms of the National Code of Local Government Conduct in respect of the following items 6 and 7 and left the meeting.

6.1.1 Consideration of Item

There was submitted a report dated 6 November 1998 (circulated) by the Director of Development Services on draft revised guidance by The Scottish Office Development Department setting out proposed new Planning Policy on the working of opencast coal and related minerals in the form of a proposed new annex to National Planning Policy Guideline 4, entitled ‘NPPG4: Land for Mineral Working, Annex A: Opencast Coal and Related Minerals’; seeking the views of this Committee on the issues raised; and seeking approval of a response on the revised guidance to be forwarded to The Scottish Office as the Council’s formal response.

It was agreed:-

- (i) to approve the comments made in respect of National Planning Policy Guideline 4: Land for Mineral Working, Annex A: Opencast Coal and Related Minerals as detailed in Paragraphs 4 and 5 of the report; and
- (ii) that a copy of the report be forwarded to the Scottish Office Development Department as the Council’s formal response to the National Planning Policy Guideline 4, “Land for Mineral Working, Annex A: Opencast Coal and Related Minerals”.

EAST AYRSHIRE OPENCAST COAL SUBJECT PLAN: PROPOSED AMENDMENTS

- 7. There was submitted a report dated 17 November 1998 (circulated) by the Director of Development Services on a series of proposed amendments to the Finalised Version of the East Ayrshire Opencast Coal Subject Plan and seeking authority for the Director of Development Services to finalise the detailed wording of the proposed amendments to the Plan.

It was agreed:-

- C**
- (i) to recommend amendments to the text of the Finalised Version of the East Ayrshire Opencast Coal Subject Plan, as detailed in the Appendix to the report and to authorise the Director of Development Services to finalise the detailed wording of these proposed amendments; and
 - (ii) otherwise, to note the contents of the report.
- C**

Councillor Sneller re-joined the meeting.

NATIONAL PLANNING POLICY GUIDELINE (NPPG) 8: TOWN CENTRES AND RETAILING (REVISED OCTOBER 1998)

- 8. There was submitted and noted a report dated 4 November 1998 (circulated) by the Director of Development Services on the revised National Planning Policy Guideline (NPPG) 8: Town Centres and Retailing (Revised October 1998) and its significance for all future town centre development proposals within East Ayrshire.

SCOTTISH AREA DEPRIVATION INDEX

- 9. There was submitted and noted a report dated 18 November 1998 (circulated) by the Director of Development Services on The Scottish Office publication: New Scottish Area Deprivation Index and its implications for East Ayrshire.

ON DEMAND PROPERTY SOLUTIONS

- 10. There was submitted a report dated 16 November 1998 (circulated) by the Director of Development Services on the participation of the Department of Development Services in the "On Demand Property Solutions" Strategy being established by Enterprise Ayrshire in conjunction with East Ayrshire Council and Locate in Scotland.

It was agreed:-

- (i) to note that the Department of Development Services was working with others to secure an "On Demand Property Solutions" Strategy and that options to secure timeous determination of applications were being considered within the current review of the Scheme of Delegation; and
- (ii) otherwise, to note the contents of the report.

A GUIDE TO ENFORCEMENT

- 11. There was submitted a report dated 29 October 1998 (circulated) by the Director of Development Services on "A Guide to Enforcement" produced by the Department of Development Services, which offers guidance to the public and all persons coming into contact with the planning enforcement process.

It was agreed:-

- (i) to note an amendment to the Appendix to the report, under the heading "The Role of the Courts"; "persons responsible for breaches of planning control", to read; "one person responsible for a breach of planning control"; and
- (ii) otherwise, to note the contents of the report.

PEOPLE AND NATURE - A NEW APPROACH TO SITES OF SPECIAL SCIENTIFIC INTEREST (SSSI) DESIGNATIONS IN SCOTLAND

12. There was submitted a report dated 6 November 1998 (circulated) by the Director of Development Services on the main provisions of the Discussion Paper: People and Nature - A New Approach to SSSI Designations in Scotland, assessing their planning implications, particularly in relation to the Council's policies contained in the Draft East Ayrshire Local Plan; and seeking authorisation for the Head of Planning and Building Control to respond to The Scottish Office Development Department and the Convention of Scottish Local Authorities on this Discussion Paper.

It was agreed:-

- (i) to authorise the Head of Planning and Building Control to respond to The Scottish Office Development Department and the Convention of Scottish Local Authorities on the Discussion Paper: People and Nature - A New Approach to SSSI Designations in Scotland as described in Paragraph 4.1 to 4.7 in the report; and
- (ii) otherwise, to note the contents of the report.

THE PUBLIC POUND - WEST OF SCOTLAND ARCHAEOLOGY SERVICE

13. There was submitted a report dated 9 November 1998 (circulated) by the Director of Development Services on the performance of the West of Scotland Archaeology Service in financial year 1997-98; and on the budgetary position in terms of the Code of Guidance on Funding of External Bodies following the Public Pound.

It was agreed:-

- (i) to note the performance of the West of Scotland Archaeology Service in the context of the Code of Guidance on Funding of External Bodies following the Public Pound in financial year 1997/1998, as detailed in an Appendix to the report; and
- (ii) otherwise, to note the contents of the report.

FUTURE MAINTENANCE IMPLICATIONS OF ENVIRONMENTAL IMPROVEMENT SCHEMES

14. There was submitted a report dated 18 November 1998 (circulated) by the Director of Development Services on the maintenance of environmental improvement schemes within East Ayrshire; gaps in the current maintenance regime; possible options as to how these and any such future environmental improvement areas might be maintained; and recommending possible procedures which could be adopted by the Council to improve the effectiveness of existing and future maintenance of areas subject to environmental improvements.

It was agreed:-

- (i) to note the current position regarding the maintenance of environmental improvement sites as detailed in Appendix 1 to the report;
- (ii) to utilise Appendix 2 to the report as a basis for consultation with relevant Departments with a view to instigating action as detailed in Paragraph 5.1 of the report;

- (iii) that following the consultation exercise ((ii), above), the Director of Development Services would implement a maintenance programme for those sites detailed in Paragraph 6 of the report;
- (iv) to approve the site selection criteria detailed within Section 5.1 of the report as a basis for deciding which sites would be given priority within a maintenance programme;
- (v) that any additional sites to those ((iv) above) on the priority list would be considered at a future meeting of this Committee against the criteria specified in Paragraph 5.1 of the report;
- (vi) that discussions would be undertaken involving East Ayrshire Employment Initiative, East Ayrshire Woodlands, East Ayrshire Training Unit and appropriate Officers of East Ayrshire Council to agree the most effective and practical method of establishing the East Ayrshire Environmental Task Force as a potential means of implementing the agreed programme of maintenance of the identified environmental improvement schemes; and
- (vii) that when environmental improvement schemes were assessed the future maintenance revenue implications would be included in the report on the capital cost of such projects.

AYRSHIRE ECONOMIC FORUM - ACTION PLAN FOR JOBS IN AYRSHIRE

15. There was submitted a report dated 16 November 1998 (circulated) by the Director of Development Services on progress in the development of the "Ayrshire Action Plan for Jobs"; and seeking approval of proposals for obtaining formal endorsement of that Plan, prior to its submission to The Scottish Office.

It was agreed:-

- (i) to note the current position with the preparation of the "Action Plan for Jobs In Ayrshire" as detailed in Paragraph 3 of the report;
- (ii) to approve the proposed process within East Ayrshire Council for consultation and endorsement of the "Action Plan for Jobs in Ayrshire", as detailed in Paragraph 4 of the report; and
- (iii) to invite the new Chief Executive of Enterprise Ayrshire and the Chairperson of the Board of Enterprise Ayrshire to a future meeting of this Committee.

THE SOUTHERN UPLANDS INITIATIVE - DEVELOPING PROPOSALS FOR NATIONAL PARKS IN SCOTLAND: A CONSULTATION PAPER

16. There was submitted a report dated 6 November 1998 (circulated) by the Director of Development Services summarising and commenting upon correspondence received from the Interim Chairman of the Southern Uplands Initiative, canvassing the opinion and interest of this Local Authority in being involved in the Southern Uplands Initiative Partnership; a consultation paper produced by Scottish National Heritage regarding the development of proposals for National Parks in Scotland; and recommending a response to this consultation paper.

It was agreed:-

(a) The Southern Upland Initiative

- (i) to approve participation in the preparation of more detailed proposals for a Southern Upland Partnership with the Southern Uplands Initiative Partnership;
- (ii) to authorise the Director of Development Services to nominate an Officer to attend the Conference at which it was proposed to launch the Southern Uplands Initiative Partnership; and
- (iii) to remit to the Director of Development Services to submit for consideration a further report on the appropriateness of full participation in the Initiative, including financial and manpower implications, once these have been established, to this Committee in due course;

(b) Developing Proposals for National Parks in Scotland

- (i) to note the current position on the proposed establishment of National Parks in Scotland;
- (ii) to request Scottish Natural Heritage to consider the Southern Uplands as a possible future National Park; and
- (iii) that the Director of Development Services would respond to the Consultation Paper - Developing Proposals for National Parks in Scotland in the terms described in Paragraph 4 of the report.

CONSULTANCY SUPPORT - NATIONAL AUTISTIC SOCIETY

17. There was submitted a report dated 17 November 1998 (circulated) by the Director of Development Services on a request for funding support to carry out a feasibility study for a Tertiary College facility for the National Autistic Society in Cumnock.

It was agreed:-

- (i) to note the funds/contributions that had been received from the undernoted organisations:-

National Autistic Society	£4,000
Enterprise Ayrshire	£4,000
Kilmarnock College	£4,000 (In kind, support staff)
- (ii) to approve £4,000 towards the cost of the Feasibility Study for a Tertiary College facility for the National Autistic Society in Cumnock, to be met from within the approved budgetary resources of the Department of Development Services.

EAST AYRSHIRE WOODLANDS (Item 12.2, Page 3797)

18. There was submitted a report dated 9 November 1998 (circulated) by the Director of Development Services seeking approval of a formal Constitution for the East Ayrshire Woodlands Project through a Minute of Agreement between the members of the Partnership; and on action being taken to provide comprehensive Directors and Officers Liability Insurance.

It was agreed to continue consideration of this item to later in this meeting to enable an Officer to provide clarification on indemnity cover as described in Paragraph 5.3 of the report.

KILMARNOCK TOWN CENTRE MANAGEMENT INITIATIVE LIMITED

19.1 Declaration of Interest

Councillor McIntyre declared a non-pecuniary interest in this item in terms of Clause 12(b) of the National Code of Local Government Conduct.

19.2 Consideration of Item

There was submitted a report dated 5 November 1998 (circulated) by the Director of Development Services on the performance of the Kilmarnock Town Centre Management Initiative Limited during 1998/99.

It was agreed:-

- (i) to note the achievements of the Kilmarnock Town Centre Management Initiative Limited during 1998/99 as detailed in Paragraph 3 of the report;
- (ii) to approve to continue assistance to the Kilmarnock Town Centre Management Initiative Limited in terms of the Code of Guidance on Funding External Bodies;
- (iii) that, as part of the normal budgetary process for 1999/2000, the Committee would consider providing increased support to the Kilmarnock Town Centre Management Initiative Limited for Millennium-based marketing and promotional activities during that financial year, which the Initiative considered to be critical in terms of raising Kilmarnock's profile as a modern, forward-moving town and with reference to its economic position for the year 2000 onwards; and
- (iv) that the Director of Development Services would submit a further report on this matter ((iii), above) to a future meeting of this Committee.

Councillor Hall left the meeting during discussion of this item.

TERM MANAGEMENT AGENT CONTRACT FOR TRUNK ROAD NETWORK MANAGEMENT AND PROFESSIONAL SERVICES (A76 IN EAST AYRSHIRE)

- 20.** There was submitted a report dated 10 November 1998 (circulated) by the Director of Development Services on the participation of East Ayrshire Council in the South West Local Authority Consortium (The South West Partnership) bid for the Term Management Agent Contract for the south west area all-purpose trunk road (which includes the A76 in East Ayrshire); and seeking agreement to homologate the signature of the Solicitor to the Council on the South West Local Authority Consortium (The South West Partnership) Heads of Agreement.

It was agreed:-

- (i) to note the participation of East Ayrshire Council in the South West Partnership bid for the South West Area Term Management Agent Contract for Trunk Road Network Management and Professional Services; and
- (ii) to homologate the signature of the Solicitor to the Council on the Heads of Agreement of the South West Local Authority Consortium (The South West Partnership).

FLOOD PREVENTION

21. There was submitted a report dated 6 November 1998 (circulated) by the Director of Development Services on progress to date on the Council's flood prevention works; the programme to complete the first phase of the flood prevention works in light of the recent additional £1.2m allocation from The Scottish Office; a separate programme for the South area; and recommending that the Committee authorise an approach to North Ayrshire Council for a joint study of the River Irvine and Galston Attenuation Scheme.

It was agreed:-

- (i) to note progress to date on the Council's flood prevention works;
- (ii) to note the programme to complete the first phase of the revised programme of flood prevention works at River Irvine and Kilmarnock Water, as detailed in Paragraph 3 of the report, in light of the recent additional £1.2m allocation from The Scottish Office;
- (iii) to note the programme of works in the South area, as detailed in Paragraph 5 of the report and other locations in the North area, as detailed in Paragraph 6 of the report;
- (iv) to authorise the Director of Development Services to liaise with North Ayrshire Council and the Scottish Environmental Protection Agency on issues relating to the River Irvine which had an effect on both Council areas; and
- (v) that work to date on flood prevention measures at Crosshouse and future proposed works there would be included within future reports.

Councillor Carmichael left the meeting during discussion of the above item.

PROVISION OF DISABLED PERSONS' PARKING BAYS (Item 10, Page 3223)

22. There was submitted a report dated 3 November 1998 (circulated) by the Director of Development Services on the outcome of consultation with Local Committees on the current criteria for disabled persons' parking bays on residential roads.

It was agreed:-

- (i) to note that full consultation had taken place with Local Committees and that no comment had been received apart from a particular point raised by Cumnock Area Local Committee which requested an amendment to the current criteria on the mandatory use of garden space for a hardstanding in lieu of a parking bay on the public road; and
- (ii) to approve an amendment to the current criteria as undernoted:-
 - (a) it is not possible to park the car off the road within the property in a driveway, hardstanding area etc; and
 - (b) if the only space for a hardstanding is in the front garden, facing the front of the house, and the garden area is limited, then the Head of Roads and Transportation may consider providing a parking bay as an alternative.

BUS SHELTER ADVERTISING CONTRACT (Item 16, Page 2926)

23. There was submitted a report dated 2 November 1998 (circulated) by the Director of Development Services on the renewal of the Bus Shelter Advertising Contract; and seeking approval of an agreement that Glasgow City Council co-ordinate the production and issue of necessary contract documents.

It was agreed:-

- (i) to ratify the agreement by the Head of Roads and Transportation, described in Paragraph 3.4 of the report, that Glasgow City Council would co-ordinate and issue contract documents relating to Bus Shelter Advertising; and
- (ii) otherwise, to note the contents of the report.

Councillor Sneller left the meeting during discussion of the above item.

Councillor Carmichael re-joined the meeting.

FOOLSPEED CAMPAIGN

24. There was submitted a report dated 3 November 1998 (circulated) by the Director of Development Services on the Scottish Road Safety Campaign's publicity campaign to change human behaviour in relation to the use of inappropriate and excessive speed on Scotland's roads; an invitation to East Ayrshire Council to support this Initiative; and seeking approval that East Ayrshire Council participate in the Initiative.

It was agreed:-

- (i) to note the Scottish Road Safety Publicity Campaign;
- (ii) to ratify East Ayrshire Council's participation in the Initiative, the launch date of 10 November 1998 preceding the Committee meeting;
- (iii) to note that the results of the Scottish Road Safety Campaign would be reported to a future meeting of this Committee; and
- (iv) to authorise the Director of Development Services in consultation with the Head of Public Relations and other Directors, the application of the Scottish Road Safety Campaign's logo: Foolspeed Campaign, on appropriate publications, stationary, vehicles, etc.

“SLOW DOWN” PORTABLE SPEED DETECTION AND WARNING SIGNS

25. There was submitted a report dated 9 November 1998 (circulated) by the Director of Development Services advising that The Scottish Office had provided a “Slow Down” portable speed detection and warning sign for use in communities on the A76 trunk road; and that Scottish Coal had offered to provide East Ayrshire with a similar sign to be used on local roads.

It was agreed:-

- (i) to accept the “Slow Down” sign offered by Scottish Coal for use on local roads; and
- (ii) that the Director of Development Services would seek authorisation from The Scottish Office for the erection of the sign at appropriate locations on the A70, A713 and B741.

SURPLUS GROUND - KILMAURS TOWN CENTRE, FENWICK ROAD, KILMAURS

26. There was submitted a report dated 2 November 1998 (circulated) by the Director of Development Services seeking approval for land at Kilmaurs Town Centre, Fenwick Road, Kilmaurs, to be declared surplus to requirements.

It was agreed:-

- (i) to declare the land at Kilmaurs Town Centre, Fenwick Road, Kilmaurs, surplus to requirements; and
- (ii) to refer the matter to the Director of Support Services for disposal.

EAST AYRSHIRE WOODLANDS (Item 18, Page 3972)

27. The Committee resumed consideration of this item.

The Solicitor reported:-

- (i) that discussions on Member/Officer Indemnity Insurance were continuing with the Council's Insurers;
- (ii) that the policy premium would be in the order of £250 per external body but that each case required to be assessed on its merits; and
- (iii) East Ayrshire Woodlands was currently under consideration by the Insurance Company.

It was agreed to approve the adoption of the proposed Minute of Agreement amongst all the partners to the East Ayrshire Woodlands Project subject to action being taken to ensure that appropriate Directors and Officers Liability was in place.

EXCLUSION OF PRESS AND PUBLIC

28. 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 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.

LAND SURPLUS TO REQUIREMENTS**29.1 STURROCK STREET EAST CAR PARK, KILMARNOCK**

There was submitted a report dated 3 November 1998 (circulated) by the Director of Development Services seeking approval for land adjacent to the Sturrock Street East Car Park, Kilmarnock, to be declared surplus to requirements.

It was agreed:-

- (i) to declare the land adjacent to the Sturrock Street East Car Park, Kilmarnock, surplus to requirements;
- (ii) to remit to the Director of Support Services to enter into negotiations for the disposal of the ground with the party named within the report; and
- (iii) that the terms and conditions of the disposal be reported to the Personnel and Property Sub-Committee of the Policy and Resources Committee in due course.

29.2 PROPERTY AT CUMNOCK, NEW CUMNOCK AND KILMARNOCK

There was submitted a report dated 9 November 1998 (circulated) by the Director of Development Services seeking approval for shops at 151/153 Barshare Road, Cumnock, shops at 38 and 44 Titchfield Street, Kilmarnock, and Block 1/Unit 2, Waterside Industrial Estate, New Cumnock, to be declared surplus to requirements.

It was agreed:-

- (i) to declare the shops at 151/153 Barshare Road, Cumnock, shops at 38 and 44 Titchfield Street, Kilmarnock, and Block 1/Unit 2, Waterside Industrial Estate, New Cumnock, surplus to requirements;
- (ii) to note that the remaining two properties identified within the report had been withdrawn; and
- (iii) to refer the matter to the Director of Support Services for disposal.

BUDGETARY CONTROL SUMMARY STATEMENT - ROADS DLO - TRADING SERVICES TO 9 OCTOBER 1998 (PERIOD 7)

30. There was submitted and noted a joint report dated 17 November 1998 (circulated) by the Acting 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 9 October 1998 (Period 7).

The meeting terminated at 1146 hours.