

**EAST AYRSHIRE COUNCIL****DEVELOPMENT SERVICES COMMITTEE****MINUTES OF MEETING HELD ON WEDNESDAY 29 SEPTEMBER 1999 AT 1035 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

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

**ATTENDING:** David Montgomery, Chief Executive; Stephen Chorley, Director of Development Services; Roddy Wallace, Head of Administration; Alan Neish, Head of Planning and Building Control; Bill Taylor, Head of Roads and Transportation; John Lilley, Principal Planner; John Spooner, Business Development Manager; Chris Johnston, Financial Services Manager; Karen McLeod, Solicitor; Chris Trevor, Planning Officer; Graham Kerr, Public Relations Officer; and Alex Hewetson, Administrative Officer.

**APOLOGIES:** Councillors Eric Ross, Douglas Reid, Robert McDill, Tommy Farrell, Provost Jimmy Boyd and Councillor Jimmy Carmichael.

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

**PLANNING APPLICATION****1.1 APPLICATION NO 98/0726/FL: MR B BOWIE (Item 1.3, Page 333, 99/02)**

The Head of Planning and Building Control:-

- (i) reported that the applicant had intimated his intention to amend the application, thereby necessitating further consultation upon such revised application; and
- (ii) recommended that the Committee defer consideration of the matter to a future meeting of this Committee.

It was agreed:-

- (i) to note that the applicant intended to submit a revised application; and
- (ii) to defer consideration of the matter to a future meeting of this Committee.

**MONITORING REPORTS****2.1 BUDGETARY CONTROL SUMMARY STATEMENT - DEPARTMENT OF DEVELOPMENT SERVICES TO 27 AUGUST 1999 (PERIOD 5)**

There was submitted and noted a joint report dated 21 September 1999 (circulated) by the 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 27 August 1999 (Period 5).

**ADJOURNMENT**

- 2.2** The Chair agreed to adjourn the meeting at 1040 hours, for approximately 5 minutes.

## **RECONVENTION**

- 2.3** The Committee reconvened at 1045 hours with the same Members and Officials present and in attendance.

### **2.4 BUSINESS GRANTS AND LOAN SCHEME STATUS REPORT**

There was submitted and noted a report dated 10 September 1999 (circulated) by the Director of Development Services on financial support awarded under the Council's Business Grants and Loans Schemes, to local companies, in the period 16 August to 10 September 1999.

### **FUNDING EXTERNAL BODIES AND FOLLOWING THE PUBLIC POUND - EAST AYRSHIRE WOODLANDS**

- 3.** There was submitted and noted a report dated 10 September 1999 (circulated) by the Director of Development Services on the position of East Ayrshire Woodlands in terms of the Accounts Commission Code on Funding External Bodies and Following The Public Pound.

### **CODE OF GUIDANCE ON FUNDING EXTERNAL BODIES REVIEW OF 1998/99 ACTIVITIES OF KILMARNOCK TOWN CENTRE MANAGEMENT INITIATIVE (Item 19.2, Page 3972, 96/99)**

- 4.** There was submitted a report dated 13 September 1999 (circulated) by the Director of Development Services on the work undertaken and the achievements of the Kilmarnock Town Centre Management Initiative in the year 1998/99; and which sought approval of the proposed activities and performance targets for the year 1999/2000 and the continuation of grant funding in terms of the Code of Guidance on Funding of External Bodies.

The Director of Development Services also reported that it was intended to run an Ayrshire Farmer's Market initially on a pilot basis, at The Cross, Kilmarnock, which would take place on Saturday 9 October 1999.

It was agreed:-

- (i) to note the compliance with the terms of the Code of Guidance on Funding of External Bodies in respect of the Council's relationship with Kilmarnock Town Centre Management Initiative;
- (ii) to note the achievements of Kilmarnock Town Centre Management Initiative during financial year 1998/99, as described in Paragraph 5 of the report;
- (iii) to approve continued support for the work of the Kilmarnock Town Centre Management Initiative, working in partnership with Enterprise Ayrshire and the retailers in Kilmarnock Town Centre;
- (iv) to approve the proposed work programme for 1999/2000, specifically including the issues raised by the "Ryden Consultancy Study", as projects which East Ayrshire Council would wish the Kilmarnock Town Centre Management Initiative to be involved in, as described in Paragraph 6 of the report;
- (v) to approve the preparation and implementation of a Service Level Agreement in respect of the Council's funding of the Kilmarnock Town Centre Management Initiative;

- (vi) that the Director of Development Services would report on the monitoring of the Service Level Agreement ((v), above) targets and outcomes, to future meetings of this Committee; and
- (vii) to note the intention to run an Ayrshire Farmer's Market initially on a pilot basis, at The Cross, Kilmarnock, which would take place on Saturday 9 October 1999.

**THE ENVIRONMENTAL IMPACT ASSESSMENT (SCOTLAND) REGULATIONS  
1999 AND CIRCULAR 15/1999 (Item 15, Page 2436, 96/99)**

5. There was submitted a report dated 15 September 1999 (circulated) by the Director of Development Services on the coming into effect of the Environmental Impact Assessment (Scotland) Regulations 1999; and which sought approval to recommend that the Scheme of Delegation be amended to give Officer delegation for "screening" and "scoping" processes under the new Regulations.

C

It was agreed to recommend that the Scheme of Delegation be amended to give Officer delegation for "screening" and "scoping" as follows:-

C

"A decision on whether an Environmental Impact Analysis is required and the adoption and notification of a screening and/or scoping opinion under the Environmental Impact Assessment (Scotland) Regulations 1999 in respect of the need for and content of, an Environmental Impact Assessment".

**AYRSHIRE JOINT STRUCTURE PLAN - DRAFT MODIFICATIONS**

6. There was submitted a report dated 15 September 1999 (circulated) by the Director of Development Services on modifications that The Scottish Ministers propose should be made to the Ayrshire Joint Structure Plan; and a suggested response thereon, on behalf of the Council.

It was agreed:-

- (i) to approve that the concerns raised in relation to peat extraction, as described in Paragraphs 3.2 to 3.4 of the report, be submitted to The Scottish Ministers for further consideration;
- (ii) to note that the Director of Development Services may require to make further necessary adjustments to the East Ayrshire Local Plan, as a result of The Scottish Ministers modifications to the Ayrshire Joint Structure Plan and that any alterations would be notified to this Committee, at a future meeting; and
- (iii) otherwise, to note the contents of the report.

**EAST AYRSHIRE LOCAL PLAN**

**7.1 PUBLICITY AND CONSULTATION STATEMENT (Item 5, Page 2921, 96/99)**

There was submitted a report dated 10 September 1999 (circulated) by the Director of Development Services on representations received in respect of the Consultative Draft Version of the East Ayrshire Local Plan; the comments of the Department of Development Services upon these representations; and suggested courses of action which could be taken to address the points raised in these representations.

It was agreed:-

- (i) to approve the suggested response to representations made on the Consultative Draft Version of the East Ayrshire Local Plan, as described in Appendix II, to the Publicity and Consultation Statement and their incorporation into the finalised Version of the East Ayrshire Local Plan; and
- (ii) to authorise the Head of Planning and Building Control to inform the respondents to the Consultative Draft Version of the East Ayrshire Local Plan on the courses of action agreed in respect of the representations made.

## 7.2 FINALISED VERSION (Item 5, Page 2921, 96/99)

There was submitted a report dated 15 September 1999 (circulated) by the Director of Development Services on the East Ayrshire Local Plan.

Having noted the commitment of the Director of Development Services that he would bring forward to this Committee, following formulation of the Local Plan, specific and more detailed action programmes designed to expedite progress towards meeting the Local Plan's objectives, it was agreed:-

- (i) to approve the inclusion of the site at Belvedere View, Galston, and the exclusion of the site at Meadowside, Crookedholm, in the Finalised Version of the East Ayrshire Local Plan;
- (ii) to recommend:-
  - (a) that the Finalised Version of the East Ayrshire Local Plan be approved; and
  - (b) that until such time as the East Ayrshire Local Plan is formally adopted by the Council, the finalised version of the Plan be the prime material consideration and the main Local Plan policy base against which all future planning applications within East Ayrshire would be assessed, effectively superceding the finalised version of the Kilmarnock and Loudoun District Plan and the Cumnock and Doon Valley Local Plan currently used for that purpose; and
- (iii) that the Director of Development Services, in consultation with the Chair of the Development Services Committee, would finalise the wording and presentational details of the East Ayrshire Local Plan which had no bearing on the substance of the Plan.

C

C

## PLANNING ENFORCEMENT IN EAST AYRSHIRE

8. There was submitted a report dated 21 September 1999 (circulated) by the Director of Development Services on the procedures utilised in the general approach adopted by the Planning and Building Control Division for the enforcement of the Town and Country Planning (Scotland) Act 1997.

It was agreed:-

- (i) to endorse the general approach to enforcement as currently operated by the Planning and Building Control Division, as described within this report, specifically: that the Planning and Building Control Division would in the first instance seek to remedy breaches of planning control through negotiation, unless the breach had an immediate and adverse impact on the use or fabric of land or buildings, or on public amenity; and

- (ii) that the Head of Planning and Building Control would advise Sarah Boyack, MSP, Minister for Transport and the Environment, of the difficulties experienced by current legislation on enforcement.

**BANKHOUSE PLANTATION, DARVEL - TREE PRESERVATION ORDER 1999  
(Item 5, Page 6, 99/02)**

9. There was submitted a report dated 15 September 1999 (circulated) by the Director of Development Services on progress to establish a Management Agreement between the Council and the owners of Bankhouse Plantation, Darvel, in respect of the woodland; and which recommended that a Tree Preservation Order for the Plantation should be made.

It was agreed:-

- (i) that a new Tree Preservation Order for Bankhouse Plantation, Darvel, would be made, served and advertised and thereafter reported for confirmation to a future meeting of this Committee;
- (ii) that efforts would continue to try and reach agreement with James Jones & Sons Ltd regarding the future management of Bankhouse Plantation; and
- (iii) to pursue the agreement of a Management Plan for Bankhouse Plantation with the Forestry Authority.

**NEW 30 MPH SPEED LIMIT ORDERS - VARIOUS LOCATIONS**

10. There was submitted a report dated 10 September 1999 (circulated) by the Director of Development Services which sought approval to introduce new 30 mph speed limits at a number of locations currently subject to the national speed limit or a 40 mph speed limit.

It was agreed:-

- (i) to approve the Orders introducing 30 mph speed limits, prepared in accordance with the terms of the local Roads Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1997, as described within Appendix I to the report;
- (ii) that Local Members would be consulted on future proposals for new speed limits; and
- (iii) otherwise, to note the contents of the report.

**ON-STREET PARKING - KILMARNOCK TOWN CENTRE (Item 13, Page 1894,  
96/99)**

11. There was submitted a report dated 10 September 1999 (circulated) by the Director of Development Services which provided an update on the review of on-street parking regulations in Kilmarnock Town Centre.

It was agreed:-

- (i) to note the difficulties and issues raised by present on-street parking regulations within Kilmarnock Town Centre, as described in Paragraph 4 of the report;

- (ii) to note the proposals for on-street parking within Kilmarnock Town Centre, as described in Paragraph 5 of the report;
- (iii) to authorise the Head of Roads and Transportation to undertake public consultation on these proposals ((ii), above); and
- (iv) to note that following consultation, a Plan would be prepared for parking in Kilmarnock Town Centre and submitted for consideration, to a future meeting of this Committee.

#### **PARK ROAD, AUCHINLECK - PROVISION OF TURNING AREA AND ACCESS FOR DISABLED PERSONS TO AUCHINLECK STATION**

- 12.** There was submitted a report dated 10 September 1999 (circulated) by the Director of Development Services which provided an update on progress of a study on the provision of turning area and access for disabled persons to Auchinleck Station, Park Road, Auchinleck; which sought approval to promote the scheme through Strathclyde Passenger Transport, in partnership with Enterprise Ayrshire, Scotrail and Railtrack; and which sought authority to include the scheme in the Capital Programme in financial year 2000/2001.

It was agreed:-

- (i) to note the current status of the scheme for the provision of a turning area and access for disabled persons to Auchinleck Station, Park Road, Auchinleck; and
- (i) to approve the inclusion of the scheme for the provision of a turning area and access for disabled persons to Auchinleck Station, Park Road, Auchinleck, into the Capital Programme for 2000/2001, with a contribution to the total estimated cost of £35,000, excluding Public Utilities, of up to £10,000.

#### **USE OF STREET LIGHT COLUMNS FOR CHRISTMAS LIGHTS**

- 13.** There was submitted a report dated 9 September 1999 (circulated) by the Director of Development Services on approaches made by various local groups to fit festive lighting equipment to street light columns; and which sought approval of appropriate conditions on how this could be achieved safely.

It was agreed:-

- (i) to note that various local groups had made approaches to fit festive lighting to street lighting columns; and
- (ii) to approve the conditions, as detailed in Appendix A to the report, which would require to be met for fitting festive lighting equipment on street light columns.

#### **MILLENNIUM CELEBRATIONS - TEMPORARY ROAD CLOSURES**

- 14.** There was submitted a report dated 24 September 1999 (circulated) by the Director of Development Services on problems associated with proposed unofficial Millennium celebrations in relation to roads; and which recommended, in the interests of safety, that no Temporary Road Closures be granted for such celebrations over the Festive Period and that other such requests be considered with regard to road safety and traffic management issues.

It was agreed:-

- (i) that no Temporary Road Closures would be granted for proposed unofficial Millennium celebrations over the Festive Period;
- (ii) that requests for Temporary Road Closures at other times throughout the Millennium year would be considered with regard to road safety and traffic management issues; and
- (iii) that Local Members would be informed of such requests ((ii), above).

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

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

#### **BUDGETARY CONTROL SUMMARY STATEMENT ROADS DLO - TRADING SERVICES TO 27 AUGUST 1999 (PERIOD 5)**

16. There was submitted and noted a joint report dated 9 September 1999 (circulated) by the 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 27 August 1999 (Period 5).

#### **BUDGETARY CONTROL SUMMARY STATEMENT VEHICLE MAINTENANCE DSO - TRADING SERVICES TO 27 AUGUST 1999 (PERIOD 5)**

17. There was submitted and noted a joint report dated 8 September 1999 (circulated) by the 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 Vehicle Maintenance DSO - Trading Services, for the period ended 27 August 1999 (Period 5).

The meeting terminated at 1157 hours.