

Infrastructure and Environment Services Committee  
24 September 1997

**Irvine, 24 September 1997** - At a Meeting of the Infrastructure and Environment Services Committee of North Ayrshire Council at 2.00 p.m.

**Present**

Samuel Gooding, David Munn, Patrick Browne, Jack Carson, Ian Clarkson, James Clements, Margaret Highet, Elizabeth McLardy, Thomas Morris, Robert Reilly and George Steven.

**In Attendance**

The Director of Planning, Roads and Environment, N. Buchan, Head of Roads (Planning, Roads and Environment) J. Hair, Principal Officer Accountancy (Financial Services), A. Fraser, Principal Legal Officer (Legal Services) and S. Bale, Administration Officer (Chief Executive).

**Chair**

Mr Gooding in the Chair.

**Apologies for Absence**

John Donn and John Sillars.

**1. Minutes Confirmed**

The Minutes of the Meeting of the Committee held on 13 August 1997, copies of which had previously been circulated, were confirmed.

**2. West Coast Rail 250 Campaign**

Submitted report by the Director of Planning, Roads and Environment on the award of the InterCity West Coast Services franchise, the ongoing aims of the West Coast Rail 250 Campaign and the proposed continued financial support for the campaign.

On 5 February 1997, the Committee were advised of the franchising programme for the West Coast Main Line and agreed to continue to participate in the West Coast Rail 250 Campaign to ensure that funding is made available for a full upgrade of the route. The franchise for the InterCity West Coast has since been awarded to the Virgin Group who have committed themselves to a programme of short term action to improve existing trains, prior to the introduction of new trains in 2002 and have put proposals to OPRAF and Railtrack to consider improvements to allow train speeds to be further increased.

Whilst West Coast Rail 250 Campaign welcome the commitments by Virgin and Railtrack on upgrading of the West Coast Main Line, they intend to continue their campaign to ensure that the promised improvements are implemented and have therefore drawn up a business plan for 1997/98 proposing action including developing and maintaining contact with Virgin, West Coast and Railtrack to monitor progress.

The Committee agreed to contribute £250.00 to the campaign in 1997/98 from existing budgets.

Arising from the discussion on this item, members expressed concern about the condition of a number of local stations; the condition of rolling stock; and insufficient carriages being available,

particularly at peak times.

After discussion the Committee agreed to write to (a) Railtrack seeking a meeting to discuss the refurbishment of the stations; and (b) Strathclyde Passenger Transport seeking a meeting to discuss the lack of rolling stock on local services at peak times.

### **3. Tarbert: Portavadie Ferry Service**

Submitted report by the Director of Planning, Roads and Environment on the implications for North Ayrshire of the possible withdrawal of the winter ferry service between Tarbert and Portavadie.

Argyll and Bute Council have advised that there is some doubt about the future of the winter service and that the Kintyre Initiative Working Group have asked North Ayrshire Council to support the continuation of this service since this allows a limited service between Lochranza and Cloanaig to continue.

The Committee agreed to advise Argyll and Bute Council that North Ayrshire Council supports their efforts in this connection.

### **4. Pennington Expert Group Report: Food Safety E. Coli 0157: Additional Funding Announced by the Scottish Office to Resource the Additional Enforcement Action**

Submitted report by the Director of Planning, Roads and Environment on additional Scottish Office funding to resource the additional enforcement action required as a result of the recommendations contained in the Pennington Group Report.

The Report, which was endorsed by the Government in May 1997, makes recommendations on every aspect of the food chain and local authorities have been asked to implement specific recommendations including (i) an increase in the frequency of inspection of high risk food premises; (ii) providing training for Environmental Health Officers and educating food businesses in the principles of Hazard Analysis Critical Control Points; and (iii) the appointment in each local authority of a Senior Environmental Health Officer to head food safety. The Scottish Office will provide the additional funding in 1997/98, 1998/99 and 1999/2000 to implement these recommendations and have specified that it should be utilised in certain areas. An assessment has been made of the additional requirements for North Ayrshire within the available budget, which indicates that as well as the equipment, training and additional materials, a further 2 Environmental Health Officers will require to be employed to fulfil the new duties. Members expressed concern about the availability of funding beyond the three year period proposed but indications from the Scottish Office suggest that funding will be available beyond the year 2000 since the new measures will require to continue beyond that time. It was also acknowledged that these measures will impact on the existing work of the food team in that lower priority inspections may require to be less frequent.

After a full discussion, the Committee agreed (a) to approve the operational and spending proposals detailed in the report; (b) to confirm the designation of Kevin McMunn, Senior Environmental Health Officer as Head of the Food Safety Team in terms of paragraph 9.16 of the Pennington Group Report; (c) that a report on the additional staffing proposals be submitted to the Support Services Committee; and (d) to write to the Scottish Office indicating the Council's proposals in response to their initiative and asking for assurances that a similar approach to Pennington was being taken within the Meat Hygiene Service which has responsibility for the control of abattoirs.

### **5. Access to Ayrshire Study**

Submitted report by Director of Planning, Roads and Environment on the Access to Ayrshire Study.

In 1992, the Scottish Office publication, Roads, Traffic and Safety identified a direct link to the northern part of Ayrshire from the new M74/M6 as a possible long term improvement to the trunk road network. At that time, the former Cunninghame District Council joined with the other Ayrshire authorities and Enterprise Ayrshire to present a case to the Scottish Office that such a link, in the best interests of the economic development of Ayrshire, should be along the line of the A70. Subsequently a decision on a link from Ayrshire to the M74 to the M6 was deferred and made the subject of a detailed investigation in the Access to Ayrshire Study. The Scottish Office has now advised that the Minister for Local Government and Transport has made a final decision on the Access to Ayrshire Study which concludes that no useful purpose would be served by designating a trunk route between Ayrshire and the M74 and M6.

Members expressed their concern about the Minister's decision and stressed the need for improved road links to North Ayrshire including the by-passes for the Three Towns, Kilwinning and Dalry.

After discussion, the Committee agreed (a) to encourage South and East Ayrshire Councils to pursue the achievement of the required improvements of the A70 by other means; (b) to seek the support of the Ayrshire Economic Forum in pressing the Minister for Local Government and Transport for the improvement of the A737 as one of the principal existing strategic trunk routes into Ayrshire and to indicate also to the Forum the Council's commitment to the continuing improvement of the A77 as a strategic route into Ayrshire; and (c) to write to the Minister stressing the need for the by-passes for the Three Towns, Kilwinning and Dalry.

## **6. Provision and Maintenance of Landscaping Open Space and Play Areas in New Housing Developments**

Submitted report by the Legal Services Manager on the legal options available to implement and enforce the proposed policy on the provision and maintenance of landscaping open space and play areas in new housing developments.

The policy document submitted to the Committee on 13 August 1997 proposed two methods of enforcement either by means of specific conditions imposed in the planning permissions or where appropriate by agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997. These conditions are considered reasonable and valid, but a change is recommended to Condition 3 to provide that where Council adoption is not being pursued then the proposed factoring or management details must be submitted prior to any of the units being sold (rather than occupied).

With regard to Section 75 agreements, these may be appropriate in certain circumstances but there are difficulties with enforcement and it is considered that such agreements should be specifically targeted as appropriate.

Having considered the terms of the report, Members expressed the view that there is a need to ensure that problems which have occurred in the past within certain developments over lack of maintenance arrangements, must be avoided in future by the imposition of strict conditions and agreements with developers.

After a full discussion, the Committee agreed (a) to note the terms of the report; and (b) to seek Counsel's opinion on this matter.

## **7. Development Brief: Castle Drive, West Kilbride**

Submitted report by the Director of Planning, Roads and Environment on a proposed development brief for private housing at Castle Drive, West Kilbride.

In the North Coast and Cumbraes Local Plan adopted in December 1996, the land at Castle Drive, West Kilbride is allocated for private housing development and will require to conform to a development brief which sets out the requirements for the site in terms of density, access and

services, layout, open space, landscaping and play provision etc.

The Committee agreed to approve the development brief for the site.

#### **8. Largs: Sinclair Terrace**

Submitted report by the Director of Planning, Roads and Environment on a proposed programme of works to bring the road at Sinclair Terrace, Largs up to a minimum standard for adoption as a publicly maintained highway.

The owner of 50 Sinclair Drive has highlighted problems at Sinclair Terrace caused by (i) the narrowness of the street; (ii) parking of motor vehicles; and (iii) the surcharging of the boundary wall by motor vehicles mounting the footway. Investigations have shown that this street has never been adopted by the local authority and that up to the centre line it is held in the Housing account.

The Committee agreed (a) to remit to the Housing Committee to consider a programme of works to bring the road up to a minimum standard for adoption; and (b) provided the road is brought up to standard, to approve the adoption of Sinclair Terrace, Largs, and allow traffic management problems to be investigated.

#### **9. Adoption of Roads from 1 April 1996**

Submitted report by the Director of Planning, Roads and Environment on the Roads Adoption carried out from 1 April 1996.

Under the Roads (Scotland) Act 1984, a developer requires to obtain a Construction Consent for constructing new roads and there is also a statutory obligation on the local authority to take over a privately constructed road within 12 months of its completion provided the road "is of a standard satisfactory to the Local Roads Authority". This statutory obligation results in an additional maintenance liability although it is difficult to quantify the financial implications.

The Committee (a) noted the road lengths adopted since 1 April 1996 as detailed in Appendix 1 to the report and the resulting additional maintenance liability; and (b) agreed that a report on new road lengths adopted be submitted annually.

#### **10. A78 Signing: West Kilbride/Seamill Area**

Submitted report by the Director of Planning, Roads and Environment on the options under consideration for direction signing on the A78 trunk road in the West Kilbride/Seamill area.

The Scottish Office has recently been reviewing the signposting of the whole A78 to ensure that the signing complies with recent design changes, giving clear and unambiguous information to motorists using this route. These changes include limiting the number of destinations on the signs and the incorporation of logos for items such as ferries. The main elements of the proposed changes are:-

(1) the addition of the destinations of Seamill and West Kilbride on all route confirmatory signs along the affected length of the A78, both north bound and south bound, to ensure equal prominence;

(2) the removal of Seamill and West Kilbride from all direction signs on the A78, both north bound and south bound, to ensure consistency;

(3) the addition of the destination of Hunterston on north bound direction signs on the A78 from Ardrossan to ensure that drivers do not mistakenly follow local direction signs to West Kilbride along routes unsuitable for large heavy vehicles;

(4) the alteration of the boundary sign on the A78 south bound to conform with the

existing north bound boundary signs which meet current design practice i.e. Consisting of the place name Seamill and a 30 mph sign combined on a grey backing board along with countdown markers; and

(5) the removal of the destination of West Kilbride at the junction of the A78 and the B7047 because of the unsatisfactory nature of the road leading to Meadowfoot.

Councillor McLardy indicated her disagreement with the majority of the proposals; expressed the views that West Kilbride should be retained on all direction signs along the A78; that Welcome to West Kilbride should be shown on a sign at the boundary on the south side; that there should be a smaller sign for Seamill, and stressed the importance of this issue to the future development of West Kilbride.

After discussion the Committee agreed to approve the signing alterations proposed by the Scottish Office.

### **11. The Ayrshire Craft Business Review and Development Strategy**

Submitted report by the Director of Planning, Roads and Environment on a proposal to fund in partnership with Community and Recreational Services Directorate an Ayrshire Craft Business Review and Development Strategy.

The Scottish Agricultural College, Auchencruive have submitted a project brief, commissioned by Enterprise Ayrshire, to prepare an Ayrshire-wide strategy for the delivery of support to craft businesses which have the potential to impact on the tourism industry. Equal financial contributions for the project are being sought from Enterprise Ayrshire, North, East and South Ayrshire Councils. It is proposed that the North Ayrshire contribution be shared equally between the Community and Recreational Services and the Planning, Roads and Environment Directorates.

The Community and Recreational Services Committee had at their meeting the previous day agreed to contribute £1,500 towards this project.

The Committee agreed to make a contribution of £1,500 towards the Ayrshire Craft Business Review and Development Strategy to be met from the 1997/98 project assistance budget.

### **12. Consultation Paper: Implementation of EC Directive (97/11/EC) on Environmental Assessment**

Submitted report by the Director of Planning, Roads and Environment on the proposed response to the consultation paper on the implementation of EC Directive 97/11/EC on Environmental Assessment (EA).

The Scottish Office and COSLA have sought the Council's views on the consultation paper on the new EC directive on environmental assessment. For certain types of project, the developer must provide information about any significant environmental effects. The directive adds 20 new classes to the range of development proposals which will require such assessment and a range of criteria to be used in determining whether projects require EA. To assist in this determination, the Government intends to introduce a new system of "exclusive" thresholds below which EA would not be required but also proposes "reserve" powers for local authorities whereby they could direct that a project falling below the "exclusive" threshold would still require EA. Further clarification is needed on the use of "reserve" powers for local authorities.

The Committee agreed (a) to approve the terms of the response to the Scottish Office, detailed in the report; and (b) to homologate the action of the Chair and Vice-Chair in approving the advance submission of the response to COSLA in view of the deadline.

### **13. Traffic Regulation Order: High Road, Saltcoats at Dalry Road and Sharphill Road**

Submitted report by the Director of Planning, Roads and Environment on a traffic management proposal for the High Road, Saltcoats at Dalry Road and Sharphill Road.

On 11 December 1996, the Committee approved the investigation and preparation of a Traffic Regulation Order prohibiting specified turns into and from the service roads which run parallel to High Road (A78 trunk road) at its junction with Dalry Road and Sharphill Road, Saltcoats. Following advertisement of the proposals, no objections have been received.

The Committee agreed to approve the Traffic Regulation Order detailed in the report.

### **14. Traffic Regulation Order: Various Streets, Ardrossan**

Submitted report by the Director of Planning, Roads and Environment on the proposed waiting restriction for various streets in Ardrossan.

On 14 August 1996, the Committee approved the investigation and preparation of a Traffic Regulation Order prohibiting waiting on various streets around the A78 trunk road junctions with Glasgow Street and Sorbie Road, Ardrossan. Following advertisement of the proposals no objections have been received.

The Committee agreed to approve the Traffic Regulation Order detailed in the report.

### **15. Traffic Regulation Order: A737 Trunk Road, Dalry**

Submitted report by the Director of Planning, Roads and Environment on the proposed traffic management scheme for the A737 Trunk Road, Dalry.

The Scottish Office Development Department, in conjunction with the Council as their agents, have been investigating whether the 30 mph speed limit at the north end of Dalry is appropriately sited. It is now proposed that the existing speed limit at the northern approach to Dalry be relocated to a point 255 metres west of the centre of Carsehead Bridge, that a gateway be formed including red surface treatment and 30 mph countdown markers and that the existing street lighting system be extended north bound. The SODD will carry out consultations and advertise the proposals.

Noted.

### **16. Road Humps: Greenlees Court, Dalry**

Submitted report by the Director of Planning, Roads and Environment on the proposed traffic calming measures for Greenlees Court, Dalry.

On 30 April 1997, the Committee were advised of the proposal to install two road humps at Greenlees Court, Dalry. Following advertisement of the proposals, one objection was received, but subsequently withdrawn. The costs of installing the road humps will be met by the developer of the new housing development in that area.

The Committee agreed to approve these proposals.

### **17. Traffic Calming Measures: Perceton Row, Dreghorn**

Submitted report by the Director of Planning, Roads and Environment on the proposed traffic calming measures at Perceton Row, Dreghorn.



On 13 August 1997, the Committee approved the carrying out of consultations for traffic calming proposals at Perceton Row, Dreghorn. Following advertisement of the proposals, five representations were received suggesting additional traffic calming measures. Responses were sent indicating that monitoring of the area will be carried out after completion of the works to ascertain if further traffic calming measures are appropriate.

The Committee agreed to approve the proposals.

#### **18. Traffic Calming Measures: Overtoun Road, Springside**

Submitted report by the Director of Planning, Roads and Environment on the proposed traffic calming measures at Overtoun Road, Springside.

On 13 August 1997, the Committee approved the carrying out of consultations for traffic calming proposals at Overtoun Road, Springside.

Following advertisement of the proposals, no objections were received.

The Committee agreed to approve the proposals.

#### **19. Changes to Procedures relating to Applications lodged for Relaxation of the Building Standards Regulations**

Submitted report by the Director of Planning, Roads and Environment on amended legislation extending the powers of Local Authorities to process all applications for Relaxation except where applications for Building Warrants are made to or called in by the Secretary of State.

On 30 April 1997, the Committee agreed that applications for Relaxation of the Building Standards Regulations would in future be submitted to the Development Control Sub-Committee. The current Building Standards (Relaxation by Local Authorities) (Scotland) Regulations 1991 allow local authorities to deal with applications for a direction, dispensing with or relaxing any provisions of the Building Standards Regulations instead of by the Secretary of State except where (i) the building contains an enclosed shopping centre; or (ii) an application for building warrant has been made or called in by the Secretary of State. Notification has been received that under the Building Standards (Relaxation by Local Authorities) (Scotland) Regulations 1997 which came into force on 1 September 1997, the powers of local authorities will be extended to include dealing with applications for all new buildings, alterations, extensions and changes of use, except for cases where an application has been made to or called in by the Secretary of State.

The Committee agreed that applications for Relaxation of the Building Standards Regulations arising from the new legislation should also be determined by the Development Control Sub-Committee.

#### **20. Outstanding Application for Planning Permission for Determination: N/01/97/0362: Skelmorlie: Shore Road: Strathclyde House**

Strathclyde Development Trust Ltd, East Wing, Auchentyre House, Crieff have applied for planning permission for the erection of a residential care/sheltered housing for the elderly at Shore Road, Skelmorlie.

The Committee agreed to grant the application subject to the following conditions:-

- (1) That visibility splays shall be provided and maintained on each side of the new access to the satisfaction of North Ayrshire Council as Planning Authority. These splays are the triangles of ground bounded on 2 sides by the first 4.5 metres of the centreline of the access driveway (the set back dimension) and the nearside trunk road carriageway measured 90 metres (the y dimension) in both directions from the intersection of the access with the trunk road. In a vertical plane nothing shall obscure visibility measured from a driver's eye height of between 1.05 metres and 2.00 metres positioned at the set back dimension to an object

height of between 0.25 metres and 1.05 metres anywhere along the y dimension.

- (2) That the proposed means of access to the trunk road shall be constructed to a layout and type of construction to be approved by North Ayrshire Council as Planning Authority, after consultation with SODD Roads Directorate, before the development is commenced.
- (3) That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority full details or samples of: (i) all external wall finishes; (ii) all hard surfaces including circulation roads and paths and parking areas; and (iii) the proposed refuse collection facility.
- (4) That the proposed roof finish shall be Marley Monarch slates or an equivalent artificial slate as may be approved in writing by North Ayrshire Council as Planning Authority.
- (5) That no development shall take place until there has been submitted to and approved by North Ayrshire Council as Planning Authority a scheme of landscaping, which shall include details of species, planting densities, soil treatment and aftercare and shall include indications of all existing trees and hedgerows on the land and details of any to be retained together with measures for their protection in the course of the development.
- (6) That all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless North Ayrshire Council as Planning Authority gives written consent to any variation.
- (7) That no trees or hedges on the site shall be felled or lopped without the prior written approval of North Ayrshire Council as Planning Authority.
- (8) That prior to the construction of the residential care centre the recommendations contained in the report by Ritchie's Engineering Geologists submitted in support of the application shall be implemented to the satisfaction of North Ayrshire Council as Planning Authority.

## **21. Building (Scotland) Act 1959/70: Determination of Applications for Building Warrant**

Submitted reports on the following applications:-

- a) 29 Frew Terrace, Irvine RFS/5/BW97/0345;
- b) 7 Western Crescent, Kilbirnie RFS/5/BW/97/0276;
- c) 16 Braefoot, Girdle Toll, Irvine RFS/5/BW/96/0286;
- d) 68 Island View, Ardrossan RFS/5/BW/97/0027

The Committee agreed to refuse the applications on the grounds that they do not comply with the Building Standard (Scotland) Regulations 1990 as amended.

## **22. Customer Comments Scheme Monitoring: First Quarter 1997**

Submitted report by the Director of Planning, Roads and Environment on the Directorate's performance in managing Customer Comments.

On 29 July 1997, the Corporate Strategy Committee agreed to approve a quarterly reporting system for customer comments to Service Committees. During the quarter from 1 April to 30 June 1997, the Directorate received 18 comments, comprising 13 complaints, 2 suggestions and 3 compliments; and of the complaints received 10 related to operational matters.

Noted.



### **23. Irvine: Bailey Bridge**

Submitted report by the Director of Planning, Roads and Environment on the quotation received for the supply of bridging equipment for the proposed refurbishment of the Bailey Bridge, Irvine.

On 13 August 1997, the Committee agreed to approve the adoption of the best option for the refurbishment of the bridge and to retain Mabey and Johnston as specialist advisers to the Council and supervisors of any works. Following examination of the various options, the preferred option is to replace the timber decking with a steel decking system. A quotation of £103,200.00 has been received from Mabey and Johnston for the supply of materials. A contract for installing the new bridge deck and carrying out all associated works will be put out to competitive tender and it is anticipated that the overall cost will fall within the revised budget as approved by the Corporate Strategy Committee on 9 September 1997. Assurances were given that every effort will be made to minimise disruption to traffic when the works are being carried out.

The Committee agreed to approve the acceptance of the tender of £103,200.00 submitted by Mabey and Johnston.

The meeting ended at 3.40 p.m.