

Infrastructure and Environment Services Committee
10 June 1998

Irvine, 10 June 1998 - At a Meeting of the Infrastructure and Environment Services Committee at 2.00 p.m.

Present

Samuel Gooding, David Munn, Jack Carson, James Clements, John Donn, Margaret Hight, Elizabeth McLardy, Thomas Morris and Robert Reilly.

In Attendance

R. Loney, Director of Planning, Roads and Environment, N. Buchan, Head of Roads, J. McCorkell, Head of Planning and Environment (Planning, Roads and Environment), R. Lee, Assistant Principal Officer (Financial Services), G. Lawson, Principal Policy/Administration Officer and M. McKeown, Administration Officer (Chief Executive).

Chair

Mr. Gooding in the Chair.

Apologies for Absence

Ian Clarkson, John Sillars and George Steven.

1. Presentation of Awards

The Chair presented certificates to the undernoted staff from the Development Control Section of the Planning, Roads and Environment Directorate who had successfully completed a course in Urban Design run by Heriot Watt University, and congratulated them on behalf of the Council

Dave Cartmell, Team Leader

Clare Brown, Planning Officer

Gordon Craig, Planning Officer

Michael Lee, Planning Officer

John Michel, Planning Officer

Tom Parish, Planning Officer

2. Minutes Confirmed

The Minutes of the Meeting of the Committee held on 29 April 1998, copies of which had previously been circulated, were confirmed.

3. Planning, Roads and Environment Directorate Strategy Development

Submitted report by the Director of Planning, Roads and Environment on progress in the Directorate Strategy process.

Since its creation following Local Government re-organisation the Directorate of Planning, Roads and Environment, which combines staff from a variety of disciplines and cultures, has

embraced the Council's aspiration of quality and accountable service delivery. Since April 1996, the Directorate has regularly set out for the approval of the Committee, the operational targets of each section of the Directorate in a Service Delivery Plan.

In April 1998 the Directorate undertook a review of its management and performance utilising the Quality Scotland Foundation Facilitated Self Assessment Model. This highlighted that as a new organisation the Directorate was performing reasonably well in relation to the median scores for other bodies using the same model. However the exercise did reveal:

- a) a requirement for a shared "vision" and "mission" to guide the wide range of strategies developing and in place throughout the Directorate;
- b) an apparent need to ensure better communication within the Directorate and between the Directorate and its customers; and to provide a more structured approach to customer requirements; and
- c) a perceived lack of structured performance/personal appraisal and associated training needs assessment for staff.

An exercise was subsequently carried out involving the whole staff during the remainder of 1997 to address the lack of a shared vision and mission and to explore the other issues. This process defined a common vision and mission for the Directorate, and highlighted procedural, staff development and communication issues which required further work.

The Review also revealed that the Directorate's title was slightly misleading in that it encompassed some but not all of the Directorate's functions. The inclusion of the Roads DLO within the Directorate will further increase the range of functions absent from the title and it was suggested that a more generic title should be adopted.

After discussion, the Committee (a) endorsed the vision and mission for the Directorate; (b) approved the preparation of a marketing and PR strategy for the Directorate; (c) agreed to the need for structured and quantified customer research to be undertaken to advise the Service Delivery Plan preparation; and (d) agreed to recommend to the Corporate Strategy Committee the renaming of the Directorate as the 'Directorate of Infrastructure and Environment Services'.

4. Service Delivery Plan 1997/98: Performance Against Targets

Submitted report by the Director of Planning, Roads and Environment on the Directorate's performance against the targets set out in the 1997/98 Service Delivery Plan.

Performance within the Directorate has generally been in line with the targets set out in the Service Delivery Plan for 1997/98 and has improved from the previous year. Further improvements will however be sought in the coming year, particularly in areas where for various reasons the 1997/98 targets have not been fully achieved.

The Committee acknowledged the performance of the Directorate against the targets set out in the 1997/98 Service Delivery Plan.

Arising from discussion on the performance of the Building Control Section, officers were asked to inspect the site at Seagate Castle to ensure that the Castle presents no immediate danger to members of the public pending a long term solution being put in place to secure its future and the Committee agreed (a) to instruct the Director of Planning, Roads and Environment to arrange a safety inspection of Seagate Castle; and (b) to instruct the Director of Community and Recreational Services to report to the Corporate Strategy Committee on progress in securing the Castle's future.

5. Environment Act 1995: Local Air Quality Management

Submitted report by the Director of Planning, Roads and Environment on the proposed Action Plan for the first phase of the review of the assessment stage in relation to Local Air Quality Management under the Environment Act 1995, which impose a duty on Local Authorities to identify and take action to tackle any local air problems arising from seven key pollutants.

There are three stages to Local Air Quality Management *viz* :-

- a) authorities must review and assess air quality within their areas to determine whether that statutory air quality objectives for each of the seven key pollutants are likely to be met by 2005;
- b) where objectives are unlikely to be achieved the Local Authority must declare an Air Quality Management Area covering the part of the district where the problem lies; and
- c) after designating an Air Quality Management Area the Local Authority must carry out a further assessment of that area and draw up an action plan.

The Action Plan produced by the Council's Environment Section in respect of the review and assessment process was outlined for members and the Committee noted that the Council is in an advantageous position in having detailed historical monitoring data available for this purpose. Some internal and external consultation will however be required to collate the necessary data and to ensure the success of the process and Consultation with local communities, businesses and the general public must also be undertaken.

After consideration, the Committee (a) approved the proposed Action; and (b) agreed that a report on progress should be submitted to the Committee in due course.

6. Results of the Office for National Statistics Review of Travel-to-Work Areas

Submitted report by the Director of Planning, Roads and Environment on the results of the 1998 Travel-to-Work review undertaken by the Office for National Statistics.

A Travel-to-Work Area (TTWA) is an official approximation to a local labour market area, as defined by the Office for National Statistics (ONS). TTWAs are defined using information on journey-to-work patterns from the decennial Census of Population and are based on aggregation of wards.

The draft TTWA map was proposed by the ONS in the summer of 1997, and was considered by the Committee at its meeting of 13th August 1997, when it was agreed to make representations to the ONS outlining the results of analysis undertaken by the Council's statistical team which illustrated that North Ayrshire satisfied the TTWA criteria and, that as such, the 1998 TTWA for the area should co-incide exactly with the Council's administrative boundaries. The ONS has accepted the Council's argument and the finalised 1998 TTWA map has now been produced on that basis and will known as the North Ayrshire TTWA.

Noted.

7. Beith Town Centre: Proposed Conservation Area

Submitted report by the Director of Planning, Roads and Environment on a proposal to designate an area of Beith Town Centre as a Conservation Area.

The Consultative Draft Replacement Garnock Valley Local Plan contains a proposal to designate a Conservation Area in Beith Town Centre covering part of Eglinton Street, Townhead Street, The Cross and Main Street. The period for public and statutory consultation on the Plan was completed on 8 May 1998 and the response to the proposed Conservation Area designation has been favourable.

In terms of the legislation Beith Town Centre is an area of "special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance" and, in the view of Historic Scotland, Beith Town Centre's historic buildings are of quite exceptional quality

when viewed on a national level, and form an excellent example of an 18th century town centre with considerable potential for enhancement. Designation as a Conservation Area will serve to protect the centre of the town from insensitive development and afford much greater potential for grant assistance from Historic Scotland to help to maintain the fabric of the building.

The boundaries of the proposed Conservation Area have been drawn to include many listed buildings but exclude areas on the fringe of the town centre which have been affected to a greater extent by modern infill development or are of lesser merit. In addition, inclusion in a Conservation Area is an essential prerequisite for a successful application under the Townscape Heritage Initiative under which the Council has agreed to participate with the St. Vincent Crescent Preservation Trust in respect of properties at 20 - 30 The Cross and 2 - 8 Eglinton Street.

After discussion, the Committee (a) agreed to designate an area of Beith Town Centre as a Conservation Area; and (b) instructed the Director of Planning, Roads and Environment to undertake the necessary advertisement and publicity to consult the public and other parties on the proposal.

8. Development Brief: Matthew Wright Woodyard, Montgomery Street, Irvine

Submitted report by the Director of Planning, Roads and Environment on a development brief to guide housing and leisure development at the Matthew Wright Woodyard, Irvine.

The Committee approved the development brief.

9. Draft National Planning Policy Guideline: Rural Development

Submitted report by the Director of Planning, Roads and Environment on the implications of the Draft National Planning Policy Guideline issued by the Scottish Office on "Rural Development".

The key components of the draft Guideline were set out for members information. It emphasises that local authorities and other agencies involved in rural development should adopt a more positive and proactive approach to providing development opportunities in rural areas and the Structure and Local Plans should clearly set out where development will be encouraged. The document underpins the Government's commitment to a more integrated and strategic approach to rural policy, as set out in the consultation paper "Towards and Development Strategy for Rural Scotland" and its commitment to sustaining vibrant local communities in rural and remote areas.

The Scottish Office is seeking comments on the Draft Guideline by 3rd July 1998, and CoSLA is also seeking comments by 16 June 1998 and, after consideration, the Committee agreed (a) to advise The Scottish Office and CoSLA that:

- i. The Council welcomes the draft NPPG on "Rural Development" which seeks to provide a more integrated and strategic approach to rural policy;
 - ii. The greater emphasis to be given to the involvement of local communities and organisations in the plan making process has resource implications and may impinge on the timescale for the delivery of some of the Council's Local Plans; and
 - iii. Adequate resources are needed to support rural regeneration and tackle rural disadvantage e.g. the establishment of a new Rural Aid Fund to replace the Rural Challenge Fund and the Rural Partnership Fund; and
- (b) to refer the Director's report to the Ayrshire Joint Structure Plan Team for their interest.

10. Withdrawal of Hunterston and Biglees Hill Directions

Submitted report by the Director of Planning, Roads and Environment on the withdrawal of the 1971 Direction of Hunterston and the withdrawal of the Biglees Direction 1975.

The withdrawal of the Directions means that any application for industrial development at Hunterston or for mineral workings at Biglees, Hunterston will now be determined by the Council taking into account the Structure and Local Plans, National Planning Policy Guideline 2, any other

material planning considerations and any representations, and that there will no longer be any need to refer applications to the Secretary of State, except in circumstances where the Council intend to grant planning permission contrary to the Development Plan.

Noted.

11. Traffic Regulation Order: Station Brae, Dreghorn

Submitted report by the Director of Planning, Roads and Environment on a traffic order proposal to remove the restrictions on general vehicular use of Station Brae, Dreghorn.

In 1983, part of Station Brae was restricted to use by buses only as part of Irvine Development Corporation's Community Route strategy for the Bourtreehill/Broomlands area. Since the restriction was introduced there has been little public comment on the situation nor has there been pressure for the general re-opening of the route. The local member has however now requested that the restriction be reviewed on the grounds that the lack of traffic activity causes a sense of vulnerability and fears for personal safety security among pedestrians using the route.

As Station Brae forms the boundary between Area Committee zones, the proposal was reported to meetings of both the Irvine, and Kilwinning, Dreghorn and Springside Committees. The Kilwinning, Dreghorn and Springside members supported the proposal, but Councillor Dewar has expressed concerns for the safety of adjacent residents if the road is opened to general through traffic. Strathclyde Police have indicated that they have no objections to the proposal and petitions of public support have been received for the removal of the bus only restriction.

After discussion, the Committee, having regard to the different views expressed by local members, agreed that the proposed Traffic Regulation Order should be prepared and advertised in the normal manner to elicit comments from the public.

12. Irvine High Street

Submitted report by the Director of Planning, Roads and Environment on a possible review of the traffic management in Irvine High Street.

On 8 January and 1 April 1998 the Irvine Area Committee considered reports on the operation of the traffic management system in place in Irvine Town Centre and agreed to remit to the infrastructure and Environment Services Committee to consider implementing a comprehensive review of the system as soon as possible.

The background to the existing traffic management system was outlined for members information. The Area Committee's main concerns relate to the volume of buses in Irvine High Street during peak times and to resultant traffic congestion due to queuing, double parking, loading and alighting of passengers on to the carriageway. Associated pollution was also causing concerns as was the lack of parking for residents in the town centre area.

The Director's report set out proposals for tackling these problems in the short term through the promotion of a Traffic Regulation Order covering traffic restrictions on High Street and Bank Street to adjust and improve the operation of the present traffic system. Members were advised that a major review of the pedestrian priority scheme and the traffic management of the adjoining roads will require significant staff resources and will affect other areas of work.

Following discussion the Committee agreed to (a) approve the investigation and promotion of a Traffic Regulation Order for High Street and Bank Street on the basis outlined in the Director's report; and (b) the preparation of a Town Centre Action Plan for Irvine as resources permit.

13. Traffic Accidents and Casualties for 1997

Submitted report by the Director of Planning, Roads and Environment on the scale of road traffic accidents which occurred in North Ayrshire in 1997.

In 1997 a total of 1103 road accidents occurred in North Ayrshire of which 388 were injury accidents. This resulted in 570 casualties of which 4 were fatal, with 121 were serious and 445 were of lesser severity.

Noted.

14. Building (Scotland) Act 1959/70: Determination of Application for Building Warrant

Submitted report by the Director of Planning, Roads and Environment seeking approval to determine application for Building Warrant No. RFS/5/BW/97/0725 under Section 6 (8) of the Building (Scotland) Act 1959-70.

The Committee agreed to refuse this application on the grounds that "the proposed development does not comply with the Building Standards (Scotland) Regulations 1990 as amended".

15. Port Health Inspections: Hunterston Terminal, Clydeport, Fairlie

Submitted report by the Director of Planning, Roads and Environment on the proposal to establish a working group to formulate a policy in relation to ships arriving at Port with notifiable disease or death on board.

An approved port is the first line of defence against imported communicable diseases. The bulk carrier "Peramos 1" registered to the Cypriot port of Limassol docked at Hunterston Terminal, Clydeport, Fairlie on 24 April 1998. During a routine Port Health Inspection, the ship's captain presented a Deratting Exemption Certificate issued on 7 April 1998 from its last port of call in Venezuela.

It subsequently transpired that the port in question - Amuay Bay - was not an approved port for the purposes of issuing such certificates. Unfortunately at the time of the inspection the ship's next port of call was unknown and a bulletin was therefore issued to all UK ports via the Internet and the Association of Port Health Authorities Monthly Magazine in April 1998.

Discussion within the Environment Section following this incident highlighted the need for clear lines of communication to be set up to deal with the possibility of ships arriving at Hunterston with notifiable diseases or death on board. Members were advised that this could be best achieved by setting up an Officer Working Group consisting of Port Health Inspectors from the Environment Section, the Consultant in Public Health Medicine, a representative from Clydeport and a member of the Procurator Fiscal's Office with a view to developing a protocol to ensure the Council's duties are properly discharged in the event of a similar incident occurring in the future.

The Committee agreed to the establishment of an Inter-Agency Officer Working Group.

16. Conferences

Submitted report by the Chief Executive on an invitation to attend the National Housing and Planning Conference between 26th and 29th October 1998 at the Devonshire Park Centre, Eastbourne.

The Committee agreed to authorise the Chair and Vice-Chair, or their nominees, to attend the conference.

17. Urgent Items

a) Ground at Kylehill, Saltcoats

Submitted report by the Legal Services Manager seeking approval to lease ground at Kylehill/Barnett Crescent, Saltcoats to be marketed alongside the former Kylehill Primary School.

In the 1970's Saltcoats Town Council and its successor Cunninghame District Council acquired property which lay on Kylehill and Nineyard Street, Saltcoats as part of the town centre redevelopment project. The properties were demolished and the ground which was landscaped now forms a triangle at the junction of Kylehill and Barnett Crescent.

The former Regional Council declared Kylehill Primary School surplus to requirements some years ago and the Council's Corporate Strategy Committee has now agreed that in addition to Kylehill, St. Peter's Primary School, Ardrossan is now no longer required as part of the further education provision in the Three Towns area.

The Director of Planning, Roads and Environment confirmed that in planning terms it would be more advantageous to include the triangular strip of ground into the development site at Kylehill, and that a development brief has been prepared on that basis.

After discussion the Committee agreed (a) to declare the ground at the junction of Kylehill/Barnett Crescent, Saltcoats, as being surplus to requirements; and (b) to refer the matter to the Support Services Committee for consideration.

18. Exclusion of Public

The Committee resolved, in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the Meeting the press and the public for the following items of business on the grounds indicated in terms of Paragraph 14 of Schedule 7A of the Act.

19. Kelly Glen Tree Preservation Order

Submitted report by the Director of Planning, Roads and Environment on a contravention of the County of Ayr (Tree Preservation) (NO. 1) Order 1964.

In July 1964 the then Ayr County Council made a Tree Preservation Order in exercise of the powers conferred under Section 26 of the Town and Country (Planning) Act 1947 with respect to the woodlands in that part of Kelly Estate, Skelmorlie lying to the south of the Kelly Burn in the County of Ayrshire. The County of Ayr (Tree Preservation) (No.1) Order 1964 was signed by the authorised Councillors and the Country Clerk on behalf of the Council and was subsequently registered in the General Register of Sasines on 18 November 1964.

On Wednesday 29 April 1998 the Owners Services Manager of Bourne Leisure at Wemyss Bay Holiday Homes Caravan Park, who own the Kelly Glen Woodlands on both the Renfrewshire and Ayrshire sides of the Kelly Burn, was contacted by the site foreman who heard a chainsaw in operation on the south side of the burn. On investigation two individuals were found in the process of felling a tall tree, and other trees which had also been felled were discovered. The individuals concerned were informed that they were trespassing on land belonging to Bourne Leisure, and that there was a Tree Preservation Order on the land. The matter was subsequently reported to the Planning Department of North Ayrshire Council.

Members were advised that in terms of the legislation the Committee could decide either to (a) refer the case to the Procurator Fiscal with a view to prosecution under Section 171 of the town and Country Planning (Scotland) Act 1997; or (b) to accept the retrospective regret and remorse of the persons concerned and to accept their offer to replant suitable trees at their own expense.

In view of this highly unsatisfactory situation the Committee agreed to report the matter to

the Procurator Fiscal as Kilmarnock Sheriff Court with a view to criminal proceedings being taken against the individuals concerned.

The meeting ended at 3.15 p.m.