

Infrastructure and Environment Services Committee
19 March 1997

Irvine, 19 March 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, Jack Carson, Margaret Highet, Elizabeth McLardy and Robert Reilly.

In Attendance

The Director of Planning, Roads and Environment, J. McCorkell, Head of Planning and Environment, N. Buchan, Head of Roads (Planning, Roads and Environment), W. Nicol, Senior Accountant (Financial Services), and S. Bale, Administration Officer (Chief Executive).

Chair

Mr Gooding in the Chair.

Apologies for Absence

Ian Clarkson, James Clements, John Donn, Thomas Morris, John Sillars and George Steven.

1. Minutes Confirmed

The Minutes of the meeting held on 5 February 1997, copies of which had previously been circulated, were confirmed.

2. Incident of Contamination: Hunterston 'B' Power Station

Submitted report by the Chief Executive on the outcome of a meeting held with Mr Peter Robson, Director of Production at Hunterston 'B' Power Station.

On 5 March 1997 the Council received a Scottish Nuclear News Release formally confirming that monitoring checks had revealed radioactive contamination in the Hunterston B service tanks which are used to supply CO₂ to the reactors. Reassurances were given that detailed tests were in hand to determine whether the three tanker deliveries of fresh CO₂ supplies to the station had been contaminated resulting in a transfer of radioactivity outwith the Hunterston site to the transportation company's depot and thereafter to other premises within the drinks sector served by that company. The news release stressed that even if such a transfer were confirmed, it would not cause a hazard to public health given the level of radioactivity involved and this was confirmed by the Scottish Office.

As no mention of this incident had been made at the Hunterston Local Liaison Committee on 28 February 1997, a meeting was therefore sought with Mr Peter Robson, the Director of Production at Hunterston B Power Station to discuss the Council's concerns over what had occurred and the lack of information. The Vice-Chair attended the meeting held on 12 March 1997, at which Mr Robson gave a full account of the incident, indicating that initially it was thought that the incident was of minimal significance and restricted to the site only and thus had not been referred to at the Liaison Committee on 28 February 1997. The subsequent investigations showed that there was no trace of radioactive contamination being transferred from the site to any drinks outlet by the transportation company. Hunterston are now looking at ways of stopping incidents of this nature occurring again and the Nuclear Inspectorate have asked all power stations to examine their "fluid routes" on their

sites to avoid similar incidents.

Mr Robson had advised that press and news releases for Scottish Nuclear are dealt with by the company's public relations department at East Kilbride and that Hunterston B has no direct control over these.

The Committee agreed (a) to continue to press Scottish Nuclear for the earliest possible notification of incidents of this nature by their PR department in East Kilbride; and (b) that Scottish Nuclear be urged to provide an immediate comprehensive briefing in those cases where the Council considers such action to be warranted.

3. British Nuclear Fuels New Discharge Applications

Submitted report by the Chief Executive on new discharge applications by British Nuclear Fuels.

British Nuclear Fuels Limited have made applications to the Environment Agency for authorisations to allow increased discharge levels in relation to aerial and marine emissions from their THORP reprocessing plant and EARP treatment plant at Sellafield. They have presented a case to the Environment Agency to enable the company to operate a new mixed plutonium and uranium fuel fabrication facility called the Sellafield MOX Plant. The Environment Agency is currently considering whether it will authorise any new levels of discharges from Sellafield and will consider representations made to them within the public consultation period.

Both Greenpeace and the National Steering Committee of Nuclear Free Local Authorities are seeking the Council's support in opposing these applications.

There are widespread concerns about the environmental impact of radioactive discharges from the operation of nuclear plants and specific concerns have been expressed on an ongoing basis by the local authority representatives on the Hunterston Local Liaison Committee.

After discussion, the Committee agreed (a) to respond to the Environment Agency objecting to BNFL's discharge applications in relation to the operation of their Thermal Oxide Reprocessing Plant (THORP) and their Enhanced Actinide Removal Plant (EARP) at Sellafield and opposing their justification for the operation of the new Sellafield MOX Plant (SMP); and (b) to circulate the Nuclear Free Local Authorities briefing paper to all Members for information.

4. Role of the Ayrshire & Arran Tourism Industry Forum (AATIF)

Submitted report by the Director of Planning, Roads and Environment on the role of the Ayrshire and Arran Tourism Industry Forum.

AATIF had been formed recently to co-ordinate public and private sector activity in tourism development and training. AATIF has set two key objectives of (i) improving the performance of leisure and tourism businesses through the formulation and promotion of a strategy for development; and (ii) ensuring that this strategy is advanced through the maximum involvement of leisure and tourism operators in their business development activities. It has established a number of sub groups and project groups to progress various strategic projects including the Ayrshire and Arran Tourism Strategy, cycling, walking and signage and in addition, specific project groups have been set up to progress tourism and leisure developments in areas such as training, gateway towns, schools and Ayrshire and Arran Tourist Board membership etc.

The Committee agreed (a) to support the role which the Forum will play in the co-ordination of tourism, development and training throughout North Ayrshire; and (b) that the Director of Planning, Roads and Environment arrange for officer representation on the AATIF; and (c) to remit to the Community and Recreational Services Committee to consider similar representation.

5. Roads Management and Maintenance Revenue Budget Programme

Submitted report by the Director of Planning, Roads and Environment on the proposed programme of works for 1997/98.

On 24 April 1996, the Committee approved the use of a set of criteria for the formulation of the Roads Revenue Budget Programme and a detailed schedule of works has been drawn up for 1997/98 on that basis. It was however acknowledged that the exact number of contracts carried out would be affected by the tender prices received.

On 22 October 1996, the Corporate Strategy Committee agreed that a draft Revenue Maintenance Programme should be submitted to the local Area Committees for comments before the programme was submitted to the Infrastructure and Environment Services Committee for final approval. This has not proved possible as (i) the final budget for revenue works was only determined in February 1997; (ii) CCT and the need to ensure a smooth flow of work in the early part of the next financial year made it necessary to issue certain contracts for tendering on the assumption that the programme of works as submitted would be approved; and (iii) there is a statutory obligation on the Director of Planning, Roads and Environment under the New Roads and Streetworks Act 1991 to advise the Roads and Utilities Committee (RAUC) of the proposed programme of works at an early date, so that the various public utilities and statutory undertakers can arrange any necessary service alterations well in advance of any roadworks.

Assurances were given that the various requests from local Members had already been taken into account in drawing up the programme.

The Committee agreed (a) to approve the Roads Management and Maintenance Revenue Budget Programme for 1997/98; and (b) that the Director of Planning, Roads and Environment submit reports to each local Area Committee on the programme for their area.

6. Local Government and Parliamentary Elections: Guidelines on Display of Campaign Posters and the Use of Council Car Parks

Submitted report by the Director of Planning, Roads and Environment on the proposed issue of guidelines governing the display of election campaign posters and the use of Council car parks.

In previous years, problems have arisen due to the indiscriminate posting of election notices on items of street furniture eg. street lighting columns, traffic signal posts, traffic signs etc. This can involve the local authority in considerable work in removing these notices after the elections and can also create potential road safety hazards. The former Strathclyde Regional Council had therefore adopted a set of guidelines to control the display of election posters. On previous occasions they had also had to deal with requests to locate election caravans in car parks.

The Committee agreed to adopt the guidelines on the display of election campaign posters and the use of North Ayrshire Council car parks for election caravans, as detailed in the report.

7. Landfill Tax and Potential Environmental Project Funding

Submitted report by the Director of Planning, Roads and Environment on the implications of the introduction of the Landfill Tax 1996 and the potential for the redistribution of landfill tax credits.

In October 1996, the Landfill Tax came into effect requiring landfill site operators to pay this tax at a fixed rate per tonne for domestic waste and for inert waste. The existing regulations, however, allow up to 20% of the landfill tax to be paid against environmental projects to environmental bodies approved by Entrust, the Government regulatory body in this regard. It is estimated that in a full year North Ayrshire Council will require to pay £500,000 in landfill tax, thereby generating a potential £100,000 expenditure on environmental projects. The Council or another source such as Enterprise Ayrshire would require to contribute 10% of the project costs i.e. £10,000. It is also considered that similar substantial landfill tax credits could well be generated by private sector landfill operators in this

area. The Council cannot however register as a Trust with Entrust and will therefore require to determine approved environmental bodies.

The Committee agreed to authorise the Director of Planning, Roads and Environment to (i) identify appropriate approved bodies registered with Entrust; (ii) discuss the matter with appropriate private sector landfill operators to establish their willingness to participate; (iii) investigate with Enterprise Ayrshire, Argyll and the Islands Enterprise and any other sources as appropriate the contribution of additional financial resources; (iv) identify priority environmental projects to ensure maximum benefit from landfill tax credits; and (v) to report back to a future meeting.

8. North Ayrshire Council: Air Quality Monitoring July - September 1996

Submitted report by the Director of Planning, Roads and Environment on the air quality monitoring results for July - September 1996 which concluded that :-

- (i) Sulphur dioxide levels at all 3 monitoring sites were well within EPAQ (Expert Panel on Air Quality) guide levels.
- (ii) Sulphur dioxide hourly averages were all within the "Very Good" air quality classification as set by the Department of the Environment.
- (iii) Nitrogen dioxide monitoring does not suggest that levels at any of the sites are likely to exceed the EC limit values.

The Committee agreed (a) to forward a copy of the air quality monitoring report to (i) SEPA who are now responsible for the enforcement of the legislation governing authorised processes which may impact on local air quality; (ii) Clydeport who operate the dust monitoring programme in conjunction with the Council and regularly report their results to us; and (b) to make a copy available for public scrutiny.

9. North Ayrshire Dynamic Marketing Training Programme

Submitted report by the Director of Planning, Roads and Environment on the proposed joint funding of a Dynamic Marketing Training Programme.

In June 1996, Lanarkshire Development Agency agreed to provide Employee Ownership Scotland with public sector match funding to support two 9 week part time vocational training programmes entitled Dynamic Marketing. The pilot programme provided unemployed and labour market returner trainees with highly integrated computing and marketing skills and has proved very successful in assisting the trainees to obtain employment.

Employee Ownership Scotland propose to undertake the same course lasting 10 weeks with ten participants from within the Three Towns area. It is proposed that the match funding required for the scheme be shared equally by the Council and by Enterprise Ayrshire with the balance being met from the European Social Fund. In order to meet the closing date for 1997 European Social Fund Grant Applications, the Chair's approval was sought to confirm the Council's contribution.

The Committee agreed to homologate the decision to approve a contribution of £8,172.00 from the 1996/97 Business Development Revenue Budget.

10. Work Returners into Information Technology

Submitted report by the Director of Planning, Roads and Environment on the proposed joint funding of the Work Returners into Information Technology Programme.

Ayrshire ITEC in partnership with Enterprise Ayrshire ran Work Returners into Information Technology Schemes during 1995/96 and 1996/97, the aims of the schemes being to equip unemployed people with information technology skills and allow them to obtain a recognised City and

Guilds Diploma in Information Technology. The schemes have been highly successful in enabling the trainees to obtain employment.

It is proposed to undertake the scheme again in 1997/98 with match funding for the scheme being shared between the Council and Enterprise Ayrshire and the balance being met from the European Social Fund. In order to meet the closing date for 1997 European Social Fund Applications, the Chair's approval was sought to confirm the Council's contribution.

The Committee agreed to homologate the decision to approve a contribution of £15,011.00 from the 1996/97 Business Development Revenue Budget.

11. Review of Business Development Measures Implemented in 1996/97

Submitted report by the Director of Planning, Roads and Environment on the progress made regarding delivery of the Business Development Measures Programme 1996/97.

The Head of Planning and Environment gave a full presentation to the Committee on the Business Development Programme implemented in 1996/97, which was designed to ensure continuity of business development services in North Ayrshire during the first year of the Council's role as the primary providers of these services.

The Committee agreed (a) to congratulate the Business Development Section on the progress made and success achieved in delivering the 1996/97 Business Development Programme; (b) that a seminar be held for all Members on the work on the Business Development Section in 1996/97 and to outline the approved programme for 1997/98; and (c) that the Principal Marketing and Publicity Officer arranges to publicise the achievements of the Business Development Section.

12. Proposals for Business Development Measures Programme for 1997/98

Submitted report by the Director of Planning, Roads and Environment on proposals to deliver the Business Development Measures Programme for 1997/98.

The Head of Planning and Environment gave a full presentation on the proposals for the 1997/98 Business Development Measures Programme which has been designed to maintain the core services from the 1996/97 programme; improve schemes from the 1996/97 programme; and introduce new and additional schemes to address the particular issues which have been raised in North Ayrshire.

The Committee agreed to the proposed Business Development Measures Programme for 1997/98.

13. Review and Analysis of Road Accidents and Casualties 1996

Submitted report by the Director of Planning, Roads and Environment on the review and analysis of road accidents and casualties undertaken in 1996.

Accident figures for the year ending 31 December 1996 show a substantial decrease on the previous year. Comparable fatal accident, fatal casualty and serious casualty figures for North Ayrshire have also fallen substantially.

Noted.

14. Quality of Private Water Supplies Within North Ayrshire 1996

Submitted report by the Director of Planning, Roads and Environment on the local authority's responsibility with regard to private water supplies.

Under the Private Water Supplies (Scotland) Regulations 1992 local authorities have a duty to

check the quality of all private water supplies in their area and submit an annual report to the Secretary of State. The failure rate of private water supplies in 1996 was approximately 70% which is typical and does not indicate a significant health risk or that enforcement action is required in the majority of cases. Private water supplies can be improved by connecting properties up to mains water.

The Scottish Office have recommended action to be taken by local authorities in the light of the potential threat to private water supplies posed by water borne pathogens including E Coli 0157. Guidelines are already issued to all owners and users of private supplies on the safeguarding of private water supplies, but this will be reinforced with further guidance regarding E Coli 0157.

The Committee agreed that the report on private water supplies and improvement programmes for 1996 be submitted to the Secretary of State.

15. Proposals to Deregulate/Devolve Building Control Fee Setting

Submitted report by the Director of Planning, Roads and Environment on the consultation document and questionnaire which has been received from COSLA relative to the Scottish Office proposals to deregulate/devolve building control fee setting to local authorities.

After discussion, the Committee agreed (a) to continue consideration of this matter to a future meeting; and (b) to advise COSLA accordingly.

16. Proposed Tree Preservation Order: 11 Seton Terrace, Skelmorlie

Submitted report by the Director of Planning, Roads and Environment on the proposed serving of a Tree Preservation Order on land at 11 Seton Terrace, Skelmorlie.

The owner of 11 Seton Terrace, Skelmorlie has requested that a tree in his garden be protected by a Tree Preservation Order. This tree and a further four trees in his garden have been inspected and it is considered that they make a significant contribution to the amenity of the area and as such would justify their protection by a Tree Preservation Order.

The Committee agreed to serve a provisional Tree Preservation Order in terms of Section 59 of the Town and Country Planning (Scotland) Act 1972 on the five trees as specified at 11 Seton Terrace, Skelmorlie.

17. Speed Limit Order: Gateside

Submitted report by the Director of Planning, Roads and Environment on the proposed speed limit for Gateside.

On 25 September 1996, the Committee agreed to initiate the formal procedures to implement a Road Traffic Order introducing a speed limit of 30 mph at Gateside. The proposals have been advertised and no formal objections have been received. The next stage of the procedure includes the making of the Order and the publication of a second advert to allow any party to question the validity of the Order on procedural grounds.

The Committee agreed to authorise the Director of Planning, Roads and Environment to proceed to the next stage in the implementation of the Traffic Regulation Order.

18. Outstanding Applications for Planning Permission for Determination

N/01/96/0662: Irvine: Sloan Avenue: Outline planning permission for residential development.

Blane Leisure Limited, Marathon House, Drybridge Road, Dundonald have applied for outline planning permission for a residential development at Sloan Avenue, Irvine.

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

- 1) That the approval of North Ayrshire Council as Planning Authority with regard to the siting, design and external appearance of, landscaping and means of access to the proposed development shall be obtained before the development is commenced.
- 2) That access to the development shall be sited centrally along the Sloan Avenue frontage.
- 3) 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.
- 4) That a minimum of 10 off-street parking spaces for general use shall be provided along the Sloan Avenue frontage to the satisfaction of North Ayrshire Council as Planning Authority.
- 5) That the development shall be of varying heights but shall not exceed 3 storeys and the density shall not exceed 50 dwelling units per hectare.

19. Enforcement Notices

Submitted reports by the Chief Executive on the following enforcement notices:-

(a) Brodick: Brandon Farm: Strathwhillan Road

On 11 March 1997, the Development Control Sub-Committee agreed to refuse an application by John Corbett, Conachair, Brodick, Isle of Arran for retrospective planning permission for use of some of the buildings at Brandon Farm, Strathwhillan Road, Brodick as a builder's yard.

The Committee agreed that an Enforcement Notice be served on John Corbett Construction (Arran) Limited, 117 Crow Road, Partick, Glasgow, John David Corbett, Conachair, Brodick, Isle of Arran and Charles Fforde, Brodick Estate Office, Brodick, Isle of Arran requiring the unauthorised use at Brandon Farm, Strathwhillan Road, Brodick to cease and the site to be restored to its former condition as detailed in Appendix 1 to the report.

(b) Barrmill: Dunlop Road: Duskview Garage

On 11 March 1997, the Development Control Sub-Committee agreed to refuse an application by Colin Jackson, Dunlop Road, Barrmill, by Beith for a certificate of lawfulness for use of the premises as a vehicle service and repair workshop and storage yard at Duskview Garage, Dunlop Road, Barrmill, by Beith.

The Committee agreed that Enforcement Notices be served on Colin Jackson, Duskview, Dunlop Road, Barrmill, by Beith requiring (a) the unauthorised use at Duskview, Dunlop Road, Barrmill, by Beith to cease; and (b) the removal of the unauthorised buildings and the site to be restored to its former condition as detailed in Appendix 1 to the report.

(c) Irvine: 26b Rivergate

On 11 March 1997, the Development Control Sub-Committee agreed to refuse an application by Florence Clothiers (Scotland) Limited, Florence House, Block 79, Kelvin Avenue, Hillington, Glasgow for retrospective planning permission for the erection of an illuminated projecting sign at 26b Rivergate, Irvine.

The Committee agreed that an Enforcement Notice be served on Florence Clothiers (Scotland) Limited, Florence House, Block 79, Kelvin Avenue, Hillington, Glasgow requiring the removal of the illuminated projecting sign at 26b Rivergate Centre, Irvine as detailed in Appendix 1 to the report.

20. Building (Scotland) Act 1959/70: Determination of Applications for Building Warrant

Submitted reports on the following applications:-

- (a) 16 Rannoch Place, Irvine: RFS/5/BW/96/0813
- (b) 32 Ritchie Street, West Kilbride: RFS/5/BW/96/0011

In each case the information submitted with the application does not comply with the Building Standards (Scotland) Regulations 1990 as amended.

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

21. Building (Scotland) Act 1959/70: Requests for Relaxation

Submitted reports on the following applications:-

(a) 74 Moorburn Road, Largs: Regulation 9 as read with Technical Standard E2.06 requires that the unobstructed width of the escape route should not be less than 800mm.

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

- (1) That the unobstructed width of escape stair at it's narrowest point shall be not less than 585 mm.
 - (2) That the maximum occupant capacity of the first floor accommodation is 20.
- (b) 131 High Street, Irvine:** Regulation 9 as read with Technical Standard D2.03 requires a separating floor must be constructed of non-combustible materials.

The Committee agreed to grant the application subject to the condition that the existing separating floor shall be protected on the underside to achieve one hour's fire resistance.

(c) 17/19 Main Street, Largs: Regulation 9 as read with Technical Standard D2.03 requires a separating floor to be of non-combustible construction.

The Committee agreed to grant the application subject to the condition that all the existing ceiling between the ground floor premises and the maisonette shall be upgraded to provide one hour's fire resistance.

(d) 16a Harbour Street, Irvine: Regulation 9 as read with Technical Standard D2.15 requires where a separating wall forms a junction with a roof no combustible material can be built into, carried through or over the top impairing fire spread between relevant parts of the building.

The Committee agreed to grant the application subject to the condition that timbers passing

through the separating wall shall provide 1 hour fire resistance 1.0m either side of the wall.

22. Scottish Rights of Way Society: Corporate Membership

Submitted report by the Director of Planning, Roads and Environment on an invitation to become a Corporate Member of the Scottish Rights of Way Society.

The Committee agreed (a) to take up Corporate Membership of the Scottish Rights of Way Society at a current annual subscription rate of £120.00; and (b) that the Director of Planning, Roads and Environment make appropriate annual provision in the revenue budget to meet the costs of future subscriptions.

23. Conference Attendance 1997/98

Submitted report by the Chief Executive on proposed attendance at conferences in 1997/98.

The Committee agreed to authorise the Chair and the Vice-Chair or their nominees to attend the following annual conferences in 1997/98:-

- (a) The Royal Town Planning Institute Conference in Edinburgh from 10 - 12 June 1997;
- (b) the Scottish Road Safety Campaign in Dunblane from 24 - 25 September 1997; and
- (c) the National Society for Clean Air in Glasgow from 20 - 23 October 1997.

The meeting ended at 3.40 p.m.