

**MINUTES of MEETING of BUTE AND COWAL AREA COMMITTEE held in the QUEEN'S HALL,
DUNOON
on TUESDAY, 5 AUGUST 2008**

Present: Councillor L Scoullar (Chair)

Councillor A MacAlister Councillor R Simon
Councillor J McQueen Councillor J R Walsh
Councillor B Marshall from agenda item 7 (f)
Councillor A McNaughton from agenda item 7 (e)

Attending: Shirley MacLeod, Area Corporate Services Manager
Brain Close, Area Planning Officer
Hugh Blake, Estates Surveyor
Alan Kerr, Network and Environment Manager

Chief Inspector Mosley, Strathclyde Police
Stuart McLean, Strathclyde Fire and Rescue
David Penman, Strathclyde Fire and Rescue

1. APOLOGIES

Apologies for absence were intimated on behalf of Councillors R Macintyre and I Strong.

The Chairman ruled, and the Committee agreed, in terms of Standing Order 3.2.2 that a report by the Head of Legal and Protective Services in regard to the Section 75 Agreement, Proposed Development at Cowal Golf Club by Laurieston Developments (Cowal) Ltd to be dealt with at item 4 (c) of the agenda, be taken as a matter of urgency due to the need for legal conclusion of the matter to be achieved urgently.

2. DECLARATIONS OF INTEREST

None

3. MINUTES

(a) MINUTE OF AREA COMMITTEE OF 1ST JULY 2008

The Minute of the Area Committee of 1st July 2008 was approved as a correct record.

4. CORPORATE SERVICES

(a) VERBAL REPORT ON DUNOON - GOUROCK FERRY SERVICE

The Committee heard an update from Councillor J R Walsh on the Gourock/Dunoon Ferry Service.

Decision

The Committee noted the detail provided on this matter.

(b) AREA CAPITAL RECEIPTS

The Committee heard from the Area Corporate Services Manager on the Executive Committees decision to allow the Area Capital Fund to be used for one off contributions to a strategic event or community asset.

Decision

The Committee:-

1. Approved the application procedure and criteria should the Members wish to consider requests from external organisations.
2. Agreed that such awards should only be granted in exceptional circumstances on a one off basis to strategic events and community assets which contribute to the Council's Corporate Plan, Statement of Intent or Area Strategies and that Capital Receipts should primarily continue to be utilised to protect and enhance Council assets.

(Reference: Report by the Area Corporate Services Manager – submitted)

(c) SECTION 75 AGREEMENT, PROPOSED DEVELOPMENT AT COWAL GOLF CLUB BY LAURIESTON DEVELOPMENTS (COWAL) LIMITED.

The Committee heard from the Area Corporate Services Manager on varying the terms of the Section 75 agreement with Laurieston Developments (Cowal) Limited in respect of the proposed development at Cowal Golf Club.

Decision

The Committee agreed that the Section 75 agreement be amended as requested with the final drafting to be agreed by the Head of Legal and Protective Services.

(Reference: report by the Head of Legal and Protective Services dated 1st August 2008 – submitted)

5. OPERATIONAL SERVICES

(a) CAPITAL RECEIPTS FOR PEDESTRIAN CROSSINGS AND RAMPS

The Committee heard from the Network and Environment Manager on the cycling, walking, safer streets allocation from the Scottish ministers and the allocation of the £4,000 expenditure available for pedestrian crossings and ramps from the Area Capital Receipts.

Decision

The Committee:

1. Agreed that £2,000 from the Area Capital Receipts monies be allocated to the A815 Strachur crossing project.
2. Agreed that a further detailed report come to the September Area Committee regarding the £2,000 balance in capital receipts monies.

(Reference: Report by the Head of Roads and Amenity Services dated 27th July 2008 – tabled)

(b) DUNOON TRAFFIC MANAGEMENT

The Committee heard from the Network and Environment Manager on traffic management in Dunoon Town Centre.

Decision

The Committee:

1. Noted the detail in the report by the Head of Roads and Amenity Services.
2. Asked for clarification on when the Dunoon Streets Various Traffic Order was legally implemented, and agreed that if this was more than a year ago then the review process should start immediately.
3. Asked that all traffic management issues are clarified and details brought to the September Area Committee.
4. Noted that Chief Inspector Mosley will monitor speeding in Alexander Street and report back to the Area Committee in September.

(Reference: Report by the Head of Roads & Amenity Services dated 31st July 2008 – tabled)

6. PUBLIC AND COUNCILLOR QUESTION TIME

Chief Inspector Mosley, Strathclyde Police, gave advice on traffic management issues saying that residents had to be more responsible and have a common sense approach. Councillor Walsh asked if people could still be charged for obstruction and Chief Inspector Mosley gave advice on this. Chief Inspector Mosley encouraged the Members and the public to report incidents of speeding, or parking issues, and explained that Strathclyde Police would now be working with Community Policing and Response Teams.

Stuart McLean and David Penman, Strathclyde Fire and Rescue, spoke on their responsibility of up keeping fire hydrants in the area and explained that the hydrants belong to Scottish Water not Strathclyde Fire and Rescue. David Penman asked Members if they had any specific problems in a particular area to contact their Headquarters in Helensburgh and they would send out the local Water Officer to deal with the problems.

The Committee were asked a question from Mrs Anne Gabriel, Dunoon Community Council on the falling of rock from the Highland Mary monument, Mrs

Gabriel was advised that the Area Corporate Services Manager would look into this incident and report back to her.

Councillor A MacAlister asked for clarification on the subsidence at the West Bay and commented that clearing the Balgy Burn to run straight would alleviate this problem, the Area Corporate Services Manager said she would report this to Allan MacDonald and get him to report back to Councillor MacAlister.

7. DEVELOPMENT SERVICES

- (a) **CHANGE OF USE APPLICATION 08/00845/COU, KASHMIR & RAJNI RAM, PAPA RAMS, JACKSON HOUSE (FORMERLY LAZARETTO POINT HOTEL), SHORE ROAD, SANDBANK**

Decision

The change of use application be approved subject to the conditions contained in the report by the Head of Planning Services and with the inclusion of an additional condition:-

Prior to any development works commencing, full details of an odour and noise management plan shall be submitted and approved in writing by the Head of Planning Services in consultation with the Environmental Health Manager.

(Reference: Report by the Head of Planning Services dated 29th July and 24th July 2008 – submitted)

- (b) **PLANNING APPLICATION 07/02324/DET, MRS K FYFE, ASCOG STABLES, BALMORY ROAD, ASCOG**

This application was withdrawn.

- (c) **OUTLINE PLANNING APPLICATION 08/00859/OUT, THOMAS HILL, GROUND ADJACENT ELDON, THE BAY, STRACHUR**

Decision

The outline planning application be continued to the Area Committee in September to allow Members a site familiarisation visit and for the Planning Department to have dialogue with the applicant to peg out an indicative position.

(Reference: Report by the Head of Planning Services dated 28th July 2008 – submitted)

- (d) **NON-MATERIAL AMENDMENT 08/00874/NMA, COWAL LEISURE, HUNTERS QUAY HOLIDAY VILLAGE, HUNTERS QUAY**

Decision

The Committee agreed that the Non-material Amendment be accepted

under Section 64 of the Town and Country Planning (Scotland) Act 1997.

(Reference: Report by the Head of Planning Services dated 28th July 2008 – submitted)

(e) **PLANNING APPLICATION 08/00700/DET, STEWART SHAW LTD, SEABANK, SHORE ROAD, SANDBANK - REPORT TO FOLLOW**

Councillor A McNaughton intimated his apologies for being late and joined the meeting.

Decision

The planning application be continued to the Area Committee in September to allow Members a site familiarisation visit and for the Planning Department to have dialogue with the applicant to request further information in regard to the application.

(Reference: Report by the Head of Planning Services dated 29th July 2008 – tabled)

(f) **DELEGATED DEVELOPMENT CONTROL AND BUILDING CONTROL DECISIONS**

Councillor B Marshall intimated his apologies for being late and after joining the meeting took over the role as Chair.

The Committee noted Delegated Development Control and Building Control Decisions made since the last meeting.

8. EXEMPT ITEMS

The Committee resolved in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude the public for the following item of business on the grounds that it was likely to involve the disclosure of exempt information as defined in Paragraphs 9 and 13 respectively of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

(a) **FORMER TIGHNABRUAICH SCHOOL HALL - PROPOSED SALE**

The Committee heard from the Estates Surveyor on the proposed sale of the former Tighnabruaich School Hall to the NHS.

Decision

The Committee agreed to instruct the Director of Corporate Services to conclude a sale of the former Tighnabruaich School Hall to the NHS.

(Reference: Report by the Director of Corporate Services dated 9th July 2008 – submitted)

(b) **PIER HEAD OFFICE, DUNOON PIER**

The Committee heard from the Estates Surveyor on the request from Caledonian MacBrayne to lease the Pier Head Office, Dunoon Pier, for use as a ticketing office, parcel handling facility and welfare accommodation for operatives.

Decision

The Committee:

1. Agreed to the recommendations in the report by the Director of Corporate Services.
2. Agreed to offer Shopmobility the ticket office Caledonian MacBrayne currently occupy as an alternative premises on a month to month lease.

(Reference: Report by the Director of Corporate Services dated 25th July 2008 – submitted)

(c) **TEMPORARY RIGHT OF ACCESS, NEWTON PARK, INNELLAN**

The Committee heard from the Estates Surveyor on the request received for a temporary right of access in Newton Park, Innellan.

Decision

The Committee agreed to recommendation 2.1 in the report by the Director of Corporate Service.

(Reference: Report by the Director of Corporate Services dated 9th July 2008 – submitted)

(d) **PROPOSED LEASE - BUTE ALLOTMENT ASSOCIATION**

The Committee heard from the Estates Surveyor on the request to lease ground at the Meadows, Rothesay to the Bute Allotment Association.

Decision

The Committee agreed to recommendation 2.1 in the report by the Director of Corporate Service.

(Reference: Report by the Director of Corporate Services dated 9th July 2008 – submitted)

(e) **ENFORCEMENT REPORTS**

Decision

Enforcement Report 07/00279/ENFOCC – noted
Quarterly Enforcement Report – Continued to September Area Committee.