

**MINUTES of MEETING of BUTE AND COWAL AREA COMMITTEE held in the EAGLESHAM HOUSE, MOUNTPLEASANT ROAD, ROTHESAY on TUESDAY, 2 SEPTEMBER 2008**

**Present:** Councillor B Marshall (Chair)

Councillor A MacAlister	Councillor R Simon
Councillor R Macintyre	Councillor I Strong
Councillor A McNaughton	Councillor J R Walsh
Councillor L Scoullar	

**Attending:** Shirley MacLeod, Area Corporate Services Manager  
David Eaglesham, Area Team Leader, Development Control  
Caroline Sheen, Estate Surveyor  
Peter Robertson, Chief Solicitor  
Jane Fowler, European Manager  
Joni Halls, Area Coordinator, Bute & Cowal Primary Schools  
Alan Kerr, Network and Environment Manager

Chief Inspector Mosley, Strathclyde Police

**1. APOLOGIES**

An Apology for absence was intimated on behalf of Councillor J McQueen.

The Committee wished to forward their best wishes to Councillor McQueen on his recent illness and wished him a speedy recovery.

**2. DECLARATIONS OF INTEREST**

None

**3. MINUTES**

**(a) MINUTE OF AREA COMMITTEE OF 5TH AUGUST 2008**

The Minute of the Area Committee on 5<sup>th</sup> August 2008 was approved as a correct record.

**4. FUNDING PRESENTATION - JANE FOWLER**

Members heard an informative presentation from Jane Fowler, European Manager on the various funding opportunities available from Europe and Jane explained her Departments role in applying and accessing this funding.

Decision

Members noted the detail provided.

## **5. COMMUNITY SERVICES**

### **(a) BUTE AND COWAL PRIMARY SCHOOLS REPORT 2007-08**

The Committee heard from the Area Coordinator on the achievements of the primary schools in Bute and Cowal in 2007/08.

#### Decision

The Committee:-

- i. Noted the excellent work being undertaken in their primary schools and commended the pupils and staff for these outstanding achievements.
- ii. Agreed that an annual presentation of an achievement report on primary schools in their area be submitted to the Area Committee.

(Reference: Report by Area Coordinator – submitted)

## **6. OPERATIONAL SERVICES**

### **(a) TRAFFIC CALMING - BUTE & COWAL**

The Committee heard from the Network and Environment Manager on traffic calming options in Bute and Cowal.

#### Decision

The Committee noted the details within the report and acknowledged that work is ongoing within Roads & Amenity Services to establish a protocol for implementing traffic calming measures.

(Reference: Report by the Head of Roads & Amenity Services dated 27<sup>th</sup> July 2008 – submitted)

### **(b) CAPITAL RECEIPTS FOR PEDESTRIAN CROSSINGS AND RAMPS**

The Committee heard from the Network and Environment Manager on Area Capital Receipts and Cycling, Walking Safer Streets allocation from the Scottish Ministers.

#### Decision

The Committee agreed that the balance of £2,000 from Capital Receipts be allocated to improving the pedestrian route from the Town Centre to Dunoon Hospital.

(Reference: Report by the Head of Roads & Amenity Services dated 27<sup>th</sup> July 2008 – submitted)

(c) **DUNOON TRAFFIC MANAGEMENT UPDATE**

The Committee heard from the Network and Environment Manager on the timeframe of the Dunoon Traffic Management Order.

Decision

The Committee:-

- i. Noted the detail in the report by the Head of Roads & Amenity Services.
- ii. Agreed a further report on the process, timescale and resources for the review of the traffic order be brought to the September Area Business Day.
- iii. Agreed that a report on the parking at Albert Pier, Rothesay be brought to the September Area Business Day.

(Reference: Report by the Head of Roads & Amenity Services dated 13<sup>th</sup> August 2008 – submitted)

**7. 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) **BYE-LAW REVIEW - PUBLIC CONSUMPTION OF ALCOHOL**

The Committee heard from the Chief Solicitor on the Byelaw review.

Decision

The Committee agreed:-

- i. Having due regard to information gathered to inform the review of the Bute and Cowal bye-laws, resolve that the current bye-law geographical boundaries are fit for purpose with amendments progressed in respect of:

Rothesay bye-law geographical area

- ii. Should unlawful public drinking be identified as a persistent problem in an area that is covered by existing bye-laws this matter is subject to action to be determined by the Community Safety Partnerships in Bute and in Cowal.

- iii. A minor extension of the proposed area south from Wellpark Road to Millburn Bridge and following the line of Ascog Burn would cover the area of the former Royal Burgh of Rothesay and they will support this amendment provided it does not delay the review process.

(Reference: Reports by the Anti-Social Behaviour Co-Coordinator and Solicitor – submitted)

(c) **ROTHESAY PORTRAITS**

The Committee heard from the Area Corporate Services Manager on portraits which were displayed in the Rothesay Council Chambers.

Decision

The Committee:-

- i. Noted the detail provided in the report by the Area Corporate Services Manager.
- ii. Agreed that the portraits should continue to be stored in the Pavilion until the room is needed, but should be disposed of to family descendants who request ownership of them.
- iii. Agreed to advertise the portraits on the Council's website.

(Reference: Report by the Area Corporate Services Manager dated 1<sup>st</sup> August 2008 – submitted)

**8. PUBLIC AND COUNCILLOR QUESTION TIME**

Craig Borland from the Buteman asked a question on the CCTV situation in Rothesay and Chief Inspector Mosley gave advice on this.

Councillor Marshall asked if there were any issues with regard to the Cowal Games and the Connect Festival and Chief Inspector Mosley gave advice on this. Councillor Walsh asked that the Council's appreciation of the professionalism of Strathclyde Police and the partnership working which had taken place at Cowal Games be recorded, noted that it was a positive outcome staging two major events in the one area on the same weekend.

**9. DEVELOPMENT SERVICES**

- (a) **PLANNING APPLICATION 08/00700/DET, STEWART SHAW LTD, SEABANK, SHORE ROAD, SANDBANK**

Decision

The planning application be refused in terms of the report by the Head of Planning Services.

(Reference: Report by the Head of Planning Services dated 25<sup>th</sup> August 2008 and 29<sup>th</sup> July 2008 – submitted)

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

Decision

In the adopted Cowal Local Plan 1993 the application site falls within an identified area within the settlement of Strachur where Policy POL HO 9 does not restrict new housing development. Furthermore, the site falls within the Settlement Zone of Strachur in the Argyll & Bute Modified Finalised Draft Local Plan. There is therefore no objection in principle in either of these plans to the erection of a dwellinghouse at this location. At this part of the village, the pattern of development is typified by a range of plot sizes and generally modern house types. Although this application is only in outline, an indicative footprint of the proposed dwelling has been submitted – and pegged out on site for us to see last week – which demonstrates that there therefore appears to be adequate space and separation from adjoining properties to construct a modern single storey dwellinghouse without compromising the character of the settlement. I therefore consider that the proposed development accords with Policy BE 9 of the Cowal Local Plan and Policy ENV19 of the Argyll & Bute Modified Finalised Draft Local Plan.

The Committee unanimously agreed that the application, being in accordance with Council policy, be approved subject to the following conditions:

1. This permission is granted under the provisions of Article 4 of the Town and Country Planning (General Development Procedure) (Scotland) Order 1992 on the basis of an outline application for planning permission and that the further approval of Argyll and Bute Council or of the Scottish Executive on appeal shall be required with respect to the undermentioned reserved matters before any development is commenced:
  - a) The siting, design and external appearance of the proposed development;
  - b) The landscaping of the site of the proposed development;
  - c) Details of the access arrangements;
  - d) Details of the proposed water supply and drainage arrangements.

***Reason:*** To comply with Section 59 of the Town and Country Planning (Scotland) Act 1997.

2. In the case of the reserved matters specified in (1) above, an application for approval of the reserved matters in terms of Article 6 of the Town and Country Planning (General Development Procedure) (Scotland) Order 1992 must be made to Argyll and Bute Council no later than the expiration of 3 years beginning with the date of this permission.

***Reason:*** To comply with Section 59 of the Town and Country Planning (Scotland) Act 1997.

3. That the development to which this permission relates must be begun not later than the expiration of 5 years from the date of this permission or within the expiration of 2 years from the final approval of all reserved matters, whichever is the later.

**Reason:** To comply with Section 59 of the Town and Country Planning (Scotland) Act 1997.

4. Any subsequent application(s) for reserved matters, as required by Condition 1 above, shall be accompanied by details of existing and finished ground levels and finished floor levels in relation to a fixed datum and cross sections of the site showing the position of any built form.

**Reason:** It is necessary that such details are submitted to ensure that appropriately designed development is secured that is befitting and responsive to the surrounding landscape and adjacent area.

5. No trees within the development site shall be lopped, topped, felled, lifted or removed without the prior written consent of the Planning Authority.

**Reason:** In the interests of visual amenity in order to ensure the retention of the existing trees so that they may contribute to the environmental quality of the site.

6. Any details pursuant to Condition 1(c) shall incorporate the following requirements prior to the first occupation of the dwellinghouse:
  - i. Access and turning area to be designed in accordance with the Council's Development Guidelines.
  - ii. Two car parking spaces.
  - iii. The private access shall be a minimum of 2.75 metres wide and the gradient shall not exceed 10%.

**Reason:** In the interest of road safety.

7. Prior to development works commencing on site, the vehicular access to the A886 shall be constructed and visibility splays measuring 120 metres from a 2.5 metre set back at the centre point of the access shall be free of all obstructions (including walls, fences, hedges, etc.) over one metre in height above the level of the road and thereafter maintained in perpetuity, unless consent for variation is obtained in writing from the Planning Authority in consultation with the Area Roads Manager.

**Reason:** In the interests of road safety

(Reference: Report by the Head of Planning Services dated 1<sup>st</sup> September 2008, 25<sup>th</sup> August 2008 and 28<sup>th</sup> July 2008 – submitted and tabled)

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

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

## 10. EXEMPT ITEMS

The Committee resolved in terms of Section 50(A)(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 Paragraph 9 and 13 of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

### (a) **GAPSITE, 7/15 GALLOWGATE, ROTHESAY**

The Committee heard from the Estate Surveyor regarding the Gapsite at 7/15 Gallowgate, Rothesay.

#### Decision

The Committee agreed with recommendation 2.1 of the report by the Director of Corporate Services.

(Reference: Report by the Director of Corporate Services dated 14<sup>th</sup> August 2008 – submitted)

### (b) **ENFORCEMENT REPORT**

Quarterly Enforcement Report – Noted.