

**MINUTES of MEETING of MID ARGYLL KINTYRE & ISLAY AREA COMMITTEE held in the
COUNCIL CHAMBERS, KILMORY.
on MONDAY, 4 APRIL 2005**

Present: Councillor Alastair McKinlay (Chair)

Councillor Rory Colville	Councillor Robin Currie
Councillor John Findlay	Councillor Donald Kelly
Councillor John McAlpine	Councillor Donnie MacMillan
Councillor Bruce Robertson	

Attending: Deirdre Forsyth, Area Corporate Services Manager
Donnie McLeod, Roads and Amenity Services Manager
Richard Kerr, Senior Development Control Officer
Yvonne Willan, Area Housing Manager
Felicity Kelly, Community Education
Catherine Dobbie, Integration Manager
Patrick Mackie, Area Environmental Health Manager
Arthur McCulloch, Supervisory Engineer
Tim Williams, Enforcement Officer
Pamela Hamilton, Asset Manager Scottish Water

1. URGENT ITEMS

The Chairman ruled, and the Committee agreed, in terms of Section 50B(4)(b) of the Local Government (Scotland) Act 1973 in terms of Standing Order 3.2.2, that item 6.4 Enforcement Report, Tayvallich, and item 18 Application to the Provost Greenlees Trust, which were not specified in the Agenda, should be considered as a matter of urgency because of the need for the decisions to be taken before the next meeting.

2. APOLOGIES

Apologies for absence were received from Councillor Hay.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. MINUTES OF MEETING OF 2 MARCH 2005

The minutes of 2 March 2005 were approved.

5. PUBLIC QUESTION TIME

There were no questions from the public.

6. PLANNING APPLICATIONS

The Committee considered and dealt with the applications for planning permission as detailed below.

1. **04/02032/DET**

Scottish Water. Detailed Planning Permission. Landscaped surface treatment vehicular access and hardstanding associated with permitted sewer overflow/pumping station, Quarry Green, Kilkerran Road, Campbeltown.

Decision

To continue this application to a future date to be agreed.

2. **04/01922/DET**

A. McLean & Son. Detailed Planning Permission. Demolition of existing farmhouse, outbuildings and commercial/agricultural buildings and erection of 11 dwellinghouses, Bellfield Farm, High Askomil, Campbeltown.

Decision

That planning permission be granted subject to;

- i) the standard condition and reason
- ii) the conditions and reasons set out in the report by Head of Planning dated 10 March 2005

3. **04/02184/VARCON**

Dunlossit Trustees Ltd. Variation of Planning Condition. Variation of Condition 6 relative to Mineral Consent ref. 02/01782/MIN – seeking permission to retain temporary haul road on a permanent basis, Ballygrant Quarry, Ballygrant, Isle of Islay.

Decision

The conditions attached to Minerals Consent ref. 02/01782/MIN be varied to allow for the retention of a section of temporary haul road on a permanent basis for use in the permitted quarry operations at the site, subject to the condition and reason contained in the report by Head of Planning dated 11 March 2005, and subject to this additional condition regarding landscaping:-

“Prior to 30 June 2005, a scheme for the landscaping of the area between the haul road and the eastern boundary of the site shall be submitted for the written approval of the Council as Planning Authority, the purpose of which shall be to establish mature vegetation in order to afford improved screening of the quarry from adjoining property and the public road. The scheme shall indicate the location, numbers, species and sizes of trees and shrubs to be planted. The duly approved scheme shall be implemented in the first planting season following its approval by the Council.

In the event that the planting fails to become established, or trees or shrubs die or become seriously diseased or are removed, they shall be replaced in the following planting season with equivalent numbers and species as those originally required to be planted”.

4. 05/00045/ENFOTH

New Dwelling allegedly being built in incorrect position relative to approved planning permission details (Application Ref: 04/00840/DET), land adjacent ‘Creag Fasgadh’, Tayvallich.

Decision

It was agreed to hold a formal site inspection with full determination powers at 10:00 am on Thursday 7 April 2005 in Tayvallich Village Hall, at which time the non material amendment application would be formally determined and the investigation of any enforcement liability concluded.

7. DELEGATED DECISIONS

The Committee noted the decisions issued by the Director of Development Services dated 17 March 2005.

8. MINUTES OF MID ARGYLL PARTNERSHIP DATED 21 FEBRUARY 2005

The Minutes of Mid Argyll Partnership dated 21 February 2005 were noted.

9. PIERS, HARBOURS AND FERRIES

It was reported that the draft report was still to be finalised.

Decision

When report is available, it will be included for discussion on the appropriate Area Committee agenda.

10. BRUICHLADDICH PIER REPORT

It was reported that tenders will be returned on 12 April 2005.

Decision

That a further report will be made to the Area Committee when tenders have been checked.

11. FUSIONS STRATEGIC PLAN 2005/2006

Fusions will focus on bringing together workers delivering children’s services across Argyll & Bute. The purpose of this is to develop an integrated approach that provides high quality services to children, young people and their families.

The Area Integration Managers aim to act as catalysts and facilitators empowering and developing others to contribute to a real change in the way in which Children's Services are provided in Argyll & Bute. This team is multi-disciplinary with varied experience across the sectors. Various questions were put by Members.

Decision

1. Catherine Dobbie was congratulated on the excellent progress the project has made.
2. It was agreed to recommend to the Strategic Policy Committee that funding be allocated to continue the Fusions project after April 2006.

12. LEISURE DEVELOPMENT GRANT

The report described the allocation of a small grant which was unspent by the group to whom it was previously granted.

Decision

The grant of £245 paid to Inveraray and District Piping Association was approved.

(Reference – Report by Director of Community Services dated 4 April 2005)

13. ISLAY AND JURA SKIPS

It was reported that these skips had been funded for 3 years with an EU funding package which ceased on 31 March 2005.

Re-Jig are exploring funding for the continuation of skips on Islay.

Decision

1. To continue to provide skips on Jura.
2. To investigate the possibility of continuing to provide skips on Islay in conjunction with Re-Jig.

14. ROADS CAPITAL AND REVENUE FUNDING FOR 2005/06

Members were informed of the proposed works to be undertaken during the financial year 2005 – 2006.

Decision

Members discussed and noted the contents of the report.

(Reference – Report by Head of Road and Amenity Services dated 4 April 2005)

15. PUBLIC WATER SUPPLIES ON ISLAY

The report explained the difficulties arising from the lack of availability of public water supplies on Islay. Pamela Hamilton, the local ASSET Manager, explained the background to Scottish Water's difficulties because of lack of funding. She agreed that there were problems with leakages but again funding was not available to prevent these.

Decision

The Area Committee agreed to recommend that the Council pursue in the strongest possible terms with the Scottish Water Industry Commissioner and the Scottish Water Customer Panel the following matters;

1. Funding is required in order to enable development in the following areas which are currently constrained by lack of water availability. These are, Port Ellen, where houses have been built which are unable to be occupied because they cannot connect to a water supply, Bowmore, Ballygrant, Craignish and Campbeltown.
2. That funding be provided as a matter of urgency to deal with leakages which may enable these constraints to be removed.
3. That Scottish Water make it clear in their individual responses to applications for planning permission, whether or not a water connection is likely to be available. The current response from Scottish Water is vague although it may require an applicant to contact their development services department. Since a planning application is valid for 5 years and since some of these applications are for houses within existing settlements, it should be made clear that water constraint may prevent the development.

(Reference – Report by Area Corporate Services Manager dated 4 April 2005)

16. AREA STRATEGY AND PRIORITIES

The Mid Argyll, Kintyre and Islay Area Plan and strategy was discussed and updated.

Decision

To amend the 5 strategic priorities as follows;

The following are the 5 area priorities for inclusion in the Capital Programme

1. Irish Ferry – because this project will take up time of officers and therefore require to be budgeted for.
2. Bruichladdich Pier
3. Carradale Harbour
4. Campbeltown Promenade
5. Jura Ferry Replacement

It was noted that the following projects have either have no financial commitment from the Council or have already commenced;

1. Mid Argyll Sports Trust
2. Campbeltown Community Project
3. Campbeltown New Quay
4. Development at Machrihanish

EXEMPT SECTION

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

17. PROPOSED TREE PRESERVATION ORDER 01/05

It is proposed to make a Provisional Tree Preservation Order with immediate effect on an area of land at Craobh Haven which embraces a few groups of trees, including a significant group covering a steep north facing slope, and one particularly significant oak tree. A planning application is currently under consideration for a single dwelling on this land. A Tree Preservation Order is warranted to safeguard the setting of the site in the interests of amenity, in the event that permission is granted for its development.

Decision

- (i) Recommendation that a provisional Tree Preservation Order be imposed with immediate effect in accordance with Section 160 of the Town and Country Planning (Scotland) Act 1997 on one specific mentioned Common oak (*Quercus robur*) and throughout the defined land protecting areas with Silver Birch (*Betula pendula*), Rowan (*sorbus aucuparia*), Common Oan (*Quercus robur*) and Hazel (*Coryllus avellana*) at and in the immediate vicinity of land known as Plot 10s, Craobh Haven, by Lochgilphead, Argyll.
- (ii) In the event that the provisional Tree Preservation Order is imposed (as above) and no representations are received following the required advertisement period, once the Order has come into effect it should be duly confirmed. Only in the event of any representation being received to the provisional Tree Preservation Order would the matter be referred back to the Area Committee.

(Reference – Report by Head of Planning dated 17 March 2005)

18. APPLICATION TO THE PROVOST GREENLEES TRUST

The Chairman reported that he had received an application from the Soldiers, Sailors, Airmen and Families Association (SAFFA) from the Provost Greenlees Trust.

Decision

1. It was agreed to make a grant of £250 towards this application.
2. It was agreed to recommend to the Council that the delegation to the Area Committee be rescinded, and a new delegation be created in favour of the Members for South Kintyre, Campbeltown Central, and East Central Kintyre.