

MINUTES of MEETING of BUTE AND COWAL AREA COMMITTEE held in the EAGLESHAM HOUSE, MOUNT PLEASANT ROAD, ROTHESAY, ISLE OF BUTE on TUESDAY, 5 APRIL 2005

Present: Councillor B Chennell (Chair)

Councillor B Marshall	Councillor R Macintyre
Councillor G McKinven	Councillor L Scoullar
Councillor J McQueen	Councillor I Strong
	Councillor J R Walsh

Attending: George McKenzie, Area Corporate Services Manager
Eilidh Headrick, Area Committee Services/Information Officer
Phillip O'Sullivan, Senior Development Officer
Alan Lothian, Area Roads and Amenity Services Manager
Hugh Blake, Estate Surveyor
Martin Turnbull, Area Community Learning & Regeneration Manager
Jo Rains, Senior Environmental Health Officer

1. APOLOGIES

An apology for absence was intimated on behalf of Councillor Currie.

2. DECLARATIONS OF INTEREST

Councillor McQueen declared an interest in Item 7b on the grounds that he had discussion with the applicant.

Councillor Marshall declared an interest in Item 8a on the grounds that he had family links with a developer involved in this issue.

3. MINUTES

(a) MINUTE OF AREA COMMITTEE OF 1ST MARCH 2005

The minute of the meeting of the Area Committee of 1st March 2005 was approved as a correct record.

(b) MINUTE OF FORMAL SITE INSPECTION HELD ON 1ST MARCH 2005

The minute of the meeting of the Formal Site Inspection of 1st March 2005 was approved as a correct record

4. CORPORATE SERVICES

(a) AREA STRATEGY SUBMIT FOR FORMAL ENDORSEMENT OF AREA COMMITTEE

The Area Corporate Services Manager submitted the Bute and Cowal Area Strategy for formal endorsement by the Committee.

Decision

In the light of decisions taken in the Council's Capital Budget the Committee agreed that the Strategy be reviewed at the next Area Business meeting with amendments to reflect capital projects in the area.

(Reference; Bute and Cowal Area Strategy 2004/08 – Submitted)

5. COMMUNITY SERVICES

(a) EDUCATION AND LEISURE DEVELOPMENT GRANT SCHEME

The committee considered and determined 'en bloc', Educational and Leisure Development Grants as follows:

Educational Development Grants

	Project Cost	Grant
Awarded		
Bute Youth Project	£38,700	£6000
Dunoon & Cowal Youth Project	£26,722	£12,500
WRI – Cowal	£1387	£350

Leisure Development Grants

Kirn Gala	£5,300	£2,000
Bute Live	£22,695	£3,000
Bute Agricultural Society	£7,825	£1,000
Cowal Fiddle Workshop	£10,200	£500
Isle of Bute Jazz Festival	£61,000	£3,000
Cairndow Arts Promotions	£11,540	£300
Bute Highland Dance Festival	£2,500	£500
Colintraive & Glendarual Community Council	£3,145	£1,000
Cowal Walking Festival	£34,512	£1,500
Cowal Community Events	£31,500	£3,000
Bute Wheelers	£950	£350

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

6. OPERATIONAL SERVICES

(a) BUTE AGRICULTURAL SOCIETY - PLAYING FIELD

The Area Manager, Roads and Amenity Services, submitted a report containing proposals for the long term re-location of Bute Agricultural Society's Annual Show to the King George V Playing Fields in Rothesay.

Decision

The Committee agreed:-

- (i) To the re-location of the Bute Agricultural Society's Show to the King George Playing Fields
- (ii) That the period of any lease be no less than 20 years
- (iii) To note that any recommendation on a lease at less than market value would require to be referred to the Strategic Policy Committee

(Reference; Report by Area Manager, Roads and Amenity Services – submitted)

(b) PROPOSED WORKS PROGRAMMES 2005-06

A report was submitted advising the Committee of the proposed Roads Works Programme for the current year.

Decision

The Committee noted the contents of the report.

(Reference; Report by Area Manager, Roads and Amenity Services – submitted)

(c) PROPOSED PROJECTS FOR THE STRATEGIC TIMBER TRANSPORT FUND FOR 2005-06

The committee considered a report detailing proposed projects which were being approved by the Argyll Timber Transport Group for submission to the Strategic Timber transport Fund 2005-06.

Decision

The committee noted the proposals.

(Reference; Report by Area Manager, Roads and Amenity Services – submitted)

7. DEVELOPMENT SERVICES

- (a) **PLANNING APPLICATION REFERENCE NO: 04/02089/DET, MR S SHAW, ERECTION OF 3 DWELLINGHOUSES WITH ATTACHED GARAGES AND FORMATION OF NEW VEHICULAR ACCESS, LOVER'S LANE, ARDNADAM**

Decision

Approved subject to the conditions contained in the report by the Head of Planning.

- (b) **PLANNING APPLICATION REFERENCE NO:04/02455/DET, ALISON J MCMAHON, ERECTION OF TIMBER SHED IN REAR GARDEN FOR USE AS A DOG GROOMING SALON, GLENFYNE COTTAGE, 66 QUEEN STREET, DUNOON**

Motion

The application be refused in terms of the recommendation by the Head of Planning

Proposed by Councillor Chennel, seconded by Councillor Walsh

Amendment

The application be approved as it is consistent with POL COM 5 in that it is a small development in an area of mixed residential and commercial use and therefore does not represent a 'Bad Neighbour' development in view of its limited scale.

The proposal will merely replace a previous dog grooming business in the wider area and will meet the large demand for this facility.

In view of its limited nature disturbance and noise will be minimal and this should not conflict with the spirit of PAN56.

Proposed by Councillor McKinven seconded by Councillor Marshall

On the matter being put to a vote 5 voted for the amendment and 2 for the motion.

Decision

Bute and Cowal Area Committee recommends to the Public Service and Licensing Committee that the application be approved as it is a consistent with POL COM 5 in that it is a small development in an area of mixed residential and commercial use and therefore does not represent a 'Bad Neighbour' development in view of its limited scale.

The proposal will merely replace a previous dog grooming business in the wider area and will meet the large demand for this facility.

In view of its limited nature disturbance and noise will be minimal and this should not conflict with the spirit of PAN56.

- (c) **PLANNING APPLICATION REFERENCE NO: 05/00295/DET, SCOTTISH WATER SOLUTIONS, FORMATION OF ROCK ARMOUR SEA WALL, RE-PROFILING OF LAND TO ACCOMMODATE BURIED SEPTIC TANK, CHAMBERS AND PUMPING ATATIONS, FORMATION OF ACCESS AND ANCILLARY DEVELOPMENT (FURTHER AMENDED APPLICATION), OPPOSITE 125 AND 127 SHORE ROAD, INNELLAN**

Decision

Having heard the Local Member the committee agreed to hold an Informal Hearing in Innellan to determine this application

Councillors Macintyre and Strong left the meeting at this stage.

- (d) **PLANNING APPLICATION REFERENCE NO:05/00031/VARCON, CARRY FARM LTD, VARIATION OF CONDITION 1 OF PLANNING PERMISSION 01/01758/DET TO ALLOW THE PERMANENT RESIDENTIAL OCCUPATION OF ONE LODGE (UNIT 4), LAND SOUTH OF CARRY FARM, ARDLAMONT BY KAMES**

Decision

Continued to the next meeting of the Area Committee

- (e) **PLANNING APPLICATION REFERENCE NO: 04/02398/DET, I W JOINERY AND CONSTRUCTION, DEMOLITION OF OUTBUILDINGS AND ERECTION OF SIX DWELLINGS AND FORMATION OF VEHICULAR ACCESS, LAND AND FORMER STEADING, WEST OF KNOCKANREOCH, WESTLANDS ROAD, ROTHESAY**

Decision

Approved subject to the conditions contained in the report by the Head of Planning, on the understanding that some of these conditions will require amendment following demolition works at the site.

- (f) **DELEGATED DECISIONS**

The Committee noted delegated Development and Building Control decisions made since their last meeting.

- (g) **SHORT-LISTING FOR BUTE AND COWAL AREA PLANNING DESIGN AWARD 2004**

The Committee considered the results of the Design Award vote from the Council's Web Site and agreed that a panel comprising of Chair, Vice Chair, Senior Development Control Officer and an external architect should adjudicate between the highest placed four candidates.

(h) **PLANNING APPEAL BY MR W BROWN: BULLWOOD ROAD, DUNOON**

The Committee noted an Appeal Decision on this proposed development.

8. EXEMPT ITEMS

(a) **DUNCLUTHA - VERBAL UPDATE REPORT**

Councillor Marshall left the meeting while this item was being discussed.

The Committee heard a verbal report from Hugh Blake of Estates on the progress of the re-development of the Dunclutha site.

(b) **LET OF PIER CAR PARK FOR FAIRGROUND**

The Area Committee noted that the Director of Operational Services was using his delegated powers in terms of the Council's Standing Orders and Financial Regulations on the matter of the lease of Dunoon Pier Car Park for Fairground activities.

(c) **REPORT ON CRUACH MHOR WINDFARM WATER SUPPLY**

The Area Committee considered a report about the water supply installed in terms of the Cruach Mhor Wind Farm development.

Decision

Continued.

9. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 - HEARINGS - THE HEARINGS WILL TAKE COMMENCE AT 2.00PM.

(a) **APPLICATION FOR TAXI DRIVERS LICENCE - MARK ANDREW ELLIS, 2 SHUNA GARDENS, KIRN**

Councillor Macintyre returned to the meeting at this stage and the following also joined for the hearing.

Mr Mark Ellis – Applicant
Chief Inspector Alan Spence – Strathclyde Police
Alan Goodall – Senior Solicitor

The Chairman welcomed everybody, outlined the hearing procedure and all parties confirmed their acceptance of the process.

Mr Ellis spoke to his application advising the Members the reason for him wanting a taxi licence was so that he could support himself while he was at college. He explained that his previous convictions was when he was a teenager and that he had put that behind him.

Chief Inspector Spence explained that 'fit and proper person' was a legal phrase in terms of the Act and must be used in any objection where there are any previous convictions.

There then followed questions from the Members about the Applicant's age at the time of his convictions and if he had managed to establish an job with a taxi operator in the Dunoon area.

The Objector and Applicant were then asked to sum up.

Chief Inspector Spence had nothing to add.

Mr Ellis reiterated that he was wanting the taxi licence so he could finance himself through college that he was hoping to get a job with Mr Gemmell, however the first step was to obtain his licence.

Both Applicant and Objector acknowledged that they had had a fair hearing.

The Members of the committee then debated the application before them.

Decision

The application be granted.

(b) **APPLICATION FOR TAXI DRIVERS LICENCE - JOHN MACINTYRE, 64 DIXON AVENUE, DUNOON**

The following joined for the hearing.

Mr John MacIntyre – Applicant
Chief Inspector Alan Spence – Strathclyde Police
Alan Goodall – Senior Solicitor

The Chairman welcomed everybody, outlined the hearing procedure and all parties confirmed their acceptance of the process.

Mr MacIntyre spoke to his application advising Members that he had been granted his taxi licence last year for a period of one year. He acknowledged that since then he had accrued on conviction for speeding adding 4 penalty points to this licence and he explained in detail the background to the events leading to this offence. He appreciated that his licence had originally been granted on the basis that he would have a 'clean sheet' from then on but asked that the mitigating circumstances be taken into consideration and said he was truly sorry the event had occurred.

Chief Inspector Spence spoke of the road traffic offence and said that in view of the Applicant's past record the Chief Constable had no option but to recommend that he was not a fit and proper person to hold a Taxi Driver's Licence.

There then followed questions to the Applicant and Chief Inspector Spence

from the members of the committee.

In summing up Chief Inspector Spence said he had nothing to add.

The Applicant said he was truly sorry for the incident, he explained that he was valued by his employer and had a good rapport with customers in the Dunoon area.

He was trying his best and reiterated the mitigation for the recent offence.

Both parties confirmed they had had a fair hearing.

The members of the committee then debated the issue on the basis of the information before them.

Decision

The application be granted for a year subject to the condition that Mr MacIntyre is required to inform the Legal Services Department if he receives any further criminal convictions or fixed penalty points.