

**MINUTES of MEETING of HELENSBURGH & LOMOND AREA COMMITTEE held in the GIBSON
HALL, GARELOCHHEAD
on TUESDAY, 5 NOVEMBER 2002**

Present: Councillor Kinloch (Chair)

Councillor Coleshill	Councillor Stewart
Councillor Freeman	Councillor Stirling
Councillor Latimer	Councillor Thompson
Councillor Morton	Councillor Wilson
Councillor Petrie	

Attending: Charles Reppke, Head of Democratic & Community Services
Howard Young, Senior Planning Officer
Gary Wilson, Building Control Manager
Alister MacKenzie, Area Roads Manager
Gordon Sutherland, Area Amenity Services Manager
Stuart Latimer, Leisure Services Manager
Joe McGeer, Head of Revenue Resource & Secondary Education

Under Section 14 of the Council's Standing Orders the Chair agreed to consider a Motion as a matter of urgency due to the need to make a decision prior to the next Area Committee meeting. It was agreed to consider this Motion at the end of the agenda.

1. APOLOGIES

None.

2. DECLARATIONS OF INTEREST

Councillor Morton declared a pecuniary interest in Minute Item 5(c) and took no part in the discussion of this item.

Councillor Petrie declared a pecuniary interest in Minute Item 5(c) and took no part in the discussion of this item.

Councillor Latimer declared an interest in Minute Item 5(c) and took no part in the discussion of this item.

3. APPROVAL OF PREVIOUS MINUTES

(a) Area Committee - 1 October 2002

- (i) The Committee approved Minutes of Meeting of 1 October 2002 as a correct record.
- (ii) To note that the Amendment on Page 7 was proposed by Councillor Freeman and seconded by Councillor Stirling.

- (b) Site Visit – 7 Ferniegair Avenue, Helensburgh – 1 October, 2002

The Committee approved Minutes of Site Visit of 1 October 2002 as a correct record.

- (c) Special Area Committee – 22 October, 2002

The Committee approved Minutes of Special Area Committee of 22 October 2002 as a correct record.

4. DEVELOPMENT AND ENVIRONMENT SERVICES

- (a) Ministry of Defence – Tree Preservation Orders

A report outlining the Policy with regard to Tree Preservation Orders on Crown Land together with correspondence from Ministry of Defence was considered.

Decision

To note the contents of the report.

(Reference: Report by Director of Corporate & Legal Services dated 18 October 2002).

- (b) Monthly List of Delegated Decisions by the Director of Development and Environment Services

Delegated decisions taken by the Director of Development and Environment Services with regard to planning applications and building warrants since the last Committee were submitted for information.

Decision

- (i) To note the contents of the report.
- (ii) Agreed that all future Building Control decisions include a fuller description of the works being authorised.

(Reference: Report by Head of Service – Development & Building Control dated 21 October 2002).

- (c) Planning Application - Plots 11, 12 and 13 Barbour Road, Kilcreggan

02/00944/DET – Plain Partners Ltd. – Detailed Application – Erection of three dwellings – amended proposal, Plots 11, 12 and 13 Barbour Road, Kilcreggan.

Decision

To refuse permission on the grounds that Barbour Road has an attractive landscape setting and is a through route for tourist traffic which contributes to the local economy. Previous permission granted on these plots for access was to enable houses with a ridge height of 0.5m above Barbour Road. The detached dwellinghouses of modern design now being facilitated by this revised access have roof ridges of between 1.5m and 2.75m above Barbour Road, this therefore is a material amendment. This revised proposal would have a negative visual impact and would result in the continued erosion of the landscape quality and landscape setting of Barbour Road to the detriment of the amenity and the economy of the area. As such, the proposal is contrary to Policies DC1 and BE17 of the Dumbarton District Wide Local Plan.

(Reference: Report by Head of Development and Building Control dated 15 October 2002).

- (d) Planning Application - Plot 11 Barbour Road, Kilcreggan

02/01182/DET – Mrs. H. MacBeath – Detailed Application – Erection of dwelling – amended design, Plot 11 Barbour Road, Kilcreggan.

Decision

To refuse the application on the grounds that:-

Barbour Road has an attractive landscape setting and is a through route for tourist traffic which contributes to the local economy. Previously permission was granted on this plot for access to enable houses with a ridge height that was above Barbour Road. The larger detached dwelling house of modern design now being proposed would raise the planned roof ridges of the resited house higher above Barbour Road. This is facilitated by the proposed revised access.

This revised proposal would have a negative visual impact and would result in the continued erosion of the landscape quality and landscape setting of Barbour Road to the detriment of the amenity and the economy of the Area. As such, the proposal is contrary to Policies DC1 and BE17 of the Dumbarton District Wide Local Plan.

(Reference: Report by Head of Development and Building Control dated 16 October 2002).

- (e) Planning Application - 7 Ferniegair Avenue, Helensburgh

02/01215/DET – Mr. C. McArthur – Detailed Application – Extension to dwelling, 7 Ferniegair Avenue, Helensburgh.

Decision

- (i) To note that one additional letter of objection had been received.
- (ii) Approved subject to the Conditions and Reasons as contained within the report by the Director of Development and Environment Services.

(Reference: Report by Head of Development and Building Control dated 9 October 2002).

- (f) Planning Application - 2 Muirend Road, Cardross

02/01506/COU – Mr. And Mrs. S. MacDonald – Change of Use – Change of Use of office and jewellery workshop (Class 4) (Personalised and Restricted Permission) to Electrical Contractors Storeroom/Office (Class 6 and Class 4), 2 Muirend Road, Cardross.

Decision

Approved subject to the Conditions and Reasons as contained within the report by the Director of Development and Environment Services.

(Reference: Report by Head of Development and Building Control dated 16 October 2002).

- (g) Planning Application - Arnold Clark Finance, Colgrain Nursery, Moss Road, Cardross

02/01573/COU – Arnold Clark Finance – Change of Use – Change of Use from Agriculture Use to Vehicle Storage (Class 6) Temporary Consent (18 months), Colgrain Nursery, Moss Road, Cardross.

Decision

Application withdrawn.

(Reference: Report by Head of Development and Building Control dated 15 October 2002).

- (h) Planning Application - Henry Bros. Colgrain Nursery, Cardross

02/01619/COU – Henry Brothers – Change of Use – Change of Use of nursery to provide workshops (Class 5) and ancillary offices/storage, Colgrain Nursery, Cardross.

Decision

- (i) To note that four additional letters of objection had been received.
- (ii) To continue determination to a PAN 41 Hearing.

Councillor Thompson having failed to find a seconder for his amendment requested that his dissent from the decision be recorded.

(Reference: Report by Head of Development and Building Control dated 9 October 2002).

- (i) Planning Application - Parkend, Station Road, Shandon

02/01796/DET – Mr. And Mrs. S. Hughes – Detailed Application – Erection of detached dwellinghouse – Amendment to design of dwellinghouse approved under 01/02074/REM to allow for increased ridge height and additional underbuilding, Parkend, Station Road, Shandon.

Decision

Approved subject to the Conditions and Reasons as contained within the report by the Director of Development and Environment Services.

(Reference: Report by Head of Development and Building Control dated 23 October 2002).

Exclusion of Press and Public

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

- (j) Enforcement Report - Land at Cardross

A report recommending that enforcement action being taken under Section 123(1)(a) of the Town and Country Planning (Scotland) Act 1997 was considered.

Decision

Agreed that enforcement be taken in accordance with the recommendations outlined within the report.

(Reference: Report by Head of Development and Building Control dated 11 October 2002).

- (k) Enforcement Report - Land at Colgrain, Cardross

A report advising of the unauthorised change of use of land was considered.

Decision

Agreed that enforcement be taken in accordance with the recommendations outlined within the report.

(Reference: Report by Head of Development and Building Control dated 11 October 2002).

- (l) Enforcement Report - Parkend, Station Road. Shandon

A report advising of amendments to the design of a replacement dwellinghouse was considered.

Decision

Agreed that no enforcement action be taken.

(Reference: Report by Head of Development and Building Control dated 25 October 2002).

- (m) Planning Appeal Decision - The Paddock, Ardoch Estate, Cardross

A report advising of the recent appeal decision by the Scottish Executive Development Inquiry Reporters Unit relative to the Council's deemed refusal of planning permission for six dwellinghouses at The Paddock, Ardoch Estate, Cardross was considered.

Decision

To note that the Reporter had dismissed the Appeal.

(Reference: Report by Head of Service – Development and Building Control dated 21 October 2002).

(n) Building Control Performance Monitoring

A report outlining Building Control performance with respect to processing building warrant and completion certificate application in accordance with the requirement of Audit Scotland was considered.

Decision

To note the contents of the report.

(Reference: Report by Director of Development and Environment Services dated 16 October 2002).

(o) Six Month Development Control Performance

A report outlining Development Control performance and six monthly progress report was submitted.

Decision

To note the contents of the report.

(Reference: Report by Head of Development and Building Control dated 16 October 2002).

(p) Re-opening of Blackhill Civic Amenity Site

A report updating Members on the re-opening of Blackhill and the possibility of continuing the extra uplift service within the Rosneath Peninsula, Luss and Arrochar on a trial basis was considered.

Decision

To note the contents of the report.

(Reference: Report by Area Amenity Services Manager dated 21 October 2002).

The Area Committee adjourned at 11.30 a.m. and reconvened at 12 noon.

(q) Cleanliness Index Monitoring System for Street Cleansing

A report providing an update on the Cleanliness Index Monitoring System (CIMS) for street cleansing and validation reports carried out by the Council and Keep Scotland Beautiful (KSB) from December 2001 until May 2002 was considered.

Decision

To note the contents of the report.

(Reference: Report by Area Amenity Services Manager dated 21 October 2002).

(r) Leisure Development Grants

A report on applications for Leisure Development Grants was submitted.

Decision

The applications were determined as follows:-

(i)

Applicant	Narrative	Project Cost	Decision
Argyll & Bute Council	To provide Christmas Lights for Helensburgh	£3,000.00	£3,000.00
Princess Louise Hall Trust		£750.00	£666.00
Helensburgh Community Council	To assist with Remembrance Day Parade expenses	£300.00	£300.00

(ii) Agreed that the additional funding for the Helensburgh Christmas Lights should be obtained as follows:-

£3,000 – Virement from Development and Environment Services Budget

(iii) Agreed that the provision of Christmas lights by a voluntary organisation had been a welcome development as it encourages Christmas shopping in the Commercial Centre of Helensburgh. Ongoing support for this initiative should therefore be provided in future years from Helensburgh's share of the Council's Economic Development Budget or from commercial subscription and not from the very limited amount of money available from the Area's Leisure Development Grants Scheme.

(Reference: Report by Area Leisure Manager dated 21 October 2002).

5. CORPORATE AND LEGAL SERVICES

(a) Extract from Council Meeting - 17 October, 2002

An extract from Council meeting requesting Area Committees to provide details of Highland Games/Gatherings and other similar event within their area to Policy Development Group on events and facilities that they wish to be considered for support where appropriate.

Decision

Agreed to continue consideration to the Members' Business Day with a report thereafter to the next meeting of the Committee.

(Reference: Minutes of Council meeting dated 17 October 2002).

Exclusion of Press and Public

The Area 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, Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

(b) Proposed Disposal of Ground - Cardross

A report advising of a request for the Area Committee to declare land surplus to requirements and authorise its disposal was considered.

Decision

(i) Agreed to declare the land surplus to requirements.

(ii) Agreed to authorise the disposal.

(Reference: Report by Director of Corporate & Legal Services dated 8 October 2002).

(c) Licensing of Taxis

A report outlining the Area Committee's recommendation to the Public Service and Licensing Committee against commissioning a survey of demand for taxi services in the Helensburgh and Lomond zone at the present time. This decision being reached by taking account of the views expressed at that time by the Taxi Trade. However, the Taxi Trade Association has now reconsidered its views given the decision by other Area Committees. Members were therefore asked to consider the recent advice and requested to decide whether the previous recommendations from the Helensburgh and Lomond area should continue to be against participation in a survey.

Decision

- (i) To note the contents of the report.
- (ii) Agreed to support participation in a survey at this time.

(Reference: Report by Head of Legal Services dated 24 October 2002).

6. NOTICE OF MOTION

(a) Moved by Councillor Freeman and Seconded by Councillor Wilson

In terms of Standing Order 13 the following Motion was received for consideration at this meeting.

Motion

1. The Helensburgh and Lomond Area Committee notes that it is now unlikely that the £10,000 allocated from the Area Committee Revenue Expenditure for 2002/03 can be used for additional elderly day care places for residents of Helensburgh and Lomond as previously agreed by the Area Committee.
2. The Area Committee therefore agrees that this money should be reallocated as follows:-
 - (a) £5,000 for additional Aids and Adaptations within the Social Work budget.
 - (b) £5,000 for additional Child Care work.

Proposed by Councillor Freeman
Seconded by Councillor Wilson

Decision

Agreed to the contents of the Motion.

(Reference: Motion by Councillor Freeman dated 25 October 2002).

7. NOTICE OF MOTION

- (a) Moved by Councillor Stewart and Seconded by Councillor Morton

In terms of Standing Order 13 the following Motion was received for consideration at this meeting.

Motion

The Helensburgh and Lomond Area Committee requests that the spokesperson for Development & Environment Services puts the following items into the draft Capital Programme for 2003/2004 for the Council to consider when the budget is being set:-

- (a) The sum of £140,000 for replacement windows and disability access needed for the Victoria Halls.
- (b) £80,000 for the work needed to renovate the East Clyde Street football pitches and replace the changing rooms. This item was in earlier programmes, was removed last year.

Proposed by Councillor Stewart
Seconded by Councillor Morton

Amendment

The Helensburgh and Lomond Area Committee:

1. Requests that a fully costed detailed report be brought forward to the Area Committee providing details of all outstanding essential works required at the Victoria Halls.
2. Requests that a report be brought forward to the Area Committee providing details of the current position with regards to disabled access to all Council buildings within the Helensburgh and Lomond area. This report is to include a list of the detailed works, including costs, that are required to be carried out, to make all Council buildings within the Helensburgh and Lomond Area fully accessible for the disabled, as required by the Disability Discrimination Act 1995, and

3. Reaffirms it's support for the projects, and the priorities attached to those projects, as contained within the Argyll and Bute Playing Fields Strategic Review as previously agreed by the Area Committee, and requests that a report be brought forward to the Area Committee to update Members on the current position relating to all projects within the Helensburgh and Lomond Area.

Proposed by Councillor Kinloch
Seconded by Councillor Freeman

The requisite number of Members required the vote to be taken by calling the roll and Members voted as follows:-

Motion

Councillor Coleshill
Councillor Morton
Councillor Stewart
Councillor Thompson

Amendment

Councillor Freeman
Councillor Kinloch
Councillor Latimer
Councillor Petrie
Councillor Stirling
Councillor Wilson

Decision

The Helensburgh and Lomond Area Committee:

1. Requests that a fully costed detailed report be brought forward to the Area Committee providing details of all outstanding essential works required at the Victoria Halls.
2. Requests that a report be brought forward to the Area Committee providing details of the current position with regards to disabled access to all Council buildings within the Helensburgh and Lomond area. This report is to include a list of the detailed works, including costs, that are required to be carried out, to make all Council buildings within the Helensburgh and Lomond Area fully accessible for the disabled, as required by the Disability Discrimination Act 1995, and
3. Reaffirms it's support for the projects, and the priorities attached to those projects, as contained within the Argyll and Bute Playing Fields Strategic Review as previously agreed by the Area Committee, and requests that a report be brought forward to the Area Committee to update Members on the current position relating to all projects within the Helensburgh and Lomond Area.

(Reference: Motion by Councillor Stewart dated 25 October 2002).

The Area Committee adjourned at 12.45 p.m. and reconvened at 1.15 p.m.

8. NOTICE OF MOTION

- (a) Moved by Councillor Coleshill and Seconded by Councillor Morton

In terms of Standing Order 13 the following Motion was received for consideration at this meeting.

Motion

The Area Committee notes with concern the constrained level of planning enforcement possible in the Helensburgh and Lomond area. It believes one of the causes of this is staffing constraint in the planning department.

We therefore call upon:

- (1) The Director of DES to allocate staffing resources for this area to enable the Council to meet its obligations.
- (2) The Strategic Policy Committee to ensure that this is done.

Proposed by Councillor Coleshill
Seconded by Councillor Morton

Amendment

The Helensburgh and Lomond Area Committee:

- (a) Notes that additional staff resources have recently been allocated to the planning enforcement activity within the Helensburgh and Lomond area.
- (b) Requests that the Head of Development and Building Control and the Area Senior Planning Officer attend the next Business Day meeting of the Area Committee, to update Members on the current level of service relating to the planning enforcement activity within the Helensburgh and Lomond area.
- (c) And following on the report to the Business Day that the Area Committee thereafter will consider what action is required to be taken.

Proposed by Councillor Freeman
Seconded by Councillor Coleshill

Councillor Coleshill withdrew his Motion in favour of the Amendment.

Decision

The Helensburgh and Lomond Area Committee:

- (a) Notes that additional staff resources have recently been allocated to the planning enforcement activity within the Helensburgh and Lomond area.

- (b) Requests that the Head of Development and Building Control and the Area Senior Planning Officer attend the next Business Day meeting of the Area Committee, to update Members on the current level of service relating to the planning enforcement activity within the Helensburgh and Lomond area.
- (c) And following on the report to the Business Day that the Area Committee thereafter will consider what action is required to be taken.

(Reference: Amendment by Councillor Coleshill dated 5 November 2002).

9. NOTICE OF MOTION

- (a) Moved by Councillor Morton and Seconded by Councillor Stewart

In terms of Standing Order 13 the following Motion was received for consideration at this meeting.

Motion

That the Helensburgh and Lomond Area Committee recommends to the Strategic Policy Committee and to the Council that any organisation or community group being awarded Council grants or funds in excess of £5,000 should be required to submit their full accounts to the appropriate assessment officer in terms of the procedure agreed by the Strategic Policy Committee on 7th March 2002.

- (a) In the case of ongoing groups the previous year's accounts should be submitted before the grant is approved and then the complete set of accounts at the end of the event for which the grant is given.
- (b) In the case of *one-of* or new events, the accounts should be submitted at the end of the event.

Proposed by Councillor Morton
Seconded by Councillor Stewart

Amendment

The Helensburgh and Lomond Area Committee:

1. Supports the current criteria relating to grant applications, which requires the most recent accounts to be submitted to the appropriate assessment officer with ALL grant applications, and for the avoidance of any doubt,

2. Requests the SPC to amend the grant criteria to include:
 - (a) The requirement for all those receiving grants to keep full and complete records/receipts throughout the project.
 - (b) The requirement for all recipients of grants to submit a complete set of accounts, including receipts, to show that the grant was used for the purposes that it was given.
 - (c) The requirement for all recipients of grants to submit a report giving an honest appraisal of the successes, failures and uptake of the project.

Proposed by Councillor Freeman
Seconded by Councillor Kinloch

Decision

After discussion both of the motion and the amendment were withdrawn and it was unanimously agreed to continue consideration to the next Area Committee meeting.

(Reference: Motion by Councillor Morton dated 25 October 2002).

10. URGENT MOTION

- (a) Pest Control - Pigeon Fouling under West Highland Railway Bridge in Monaebrook Place

In terms of Standing Order 14 the Chair agreed to take the following item as a matter of urgency to allow a report to be produced for the December Area Committee.

Motion

That Argyll & Bute Council investigate a financial contribution of £2,761 to Colgrain Community Council to enable them to implement anti-pigeon fouling measures at Monaebrook Place railway bridge.

Proposed by Councillor Thompson
Seconded by Councillor Kinloch

Decision

Agree to the contents of the Motion.

(Reference: Motion by Councillor Thompson dated 5 November 2002).