

DEVELOPMENT AND ENVIRONMENT STANDING SCRUTINY PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 3rd September 2013 at 10.00 a.m.

Present: Councillors Kirsty Darwent (Chair), Andy Campbell, Peter Convery, Ann Galbraith, William J. Grant, Mary Kilpatrick and Brian McGinley.

Apology: Councillor Ian Cochrane.

Also Present: Councillors Bill Grant and John McDowall (Portfolio-holders).

Attending: L. Bloomer, Executive Director – Economy, Neighbourhood and Environment; V. Andrews, Acting Executive Director – Resources, Governance and Organisation; J. Cronin, Head of Community, Enterprise and Development; C. Monaghan, Head of Policy, Community Planning and Public Affairs; C. Cox, Planning Manager; C. Bishop, Performance and Business Change Manager; C. Gardner, Senior Strategic Planning and Performance and Communications Office, T. Irving, Senior Enterprise and Tourism Officer; and A. Gibson, Committee Services Officer.

1. Chair's Opening Remarks.

The Chair welcomed Councillor William J. Grant to his first meeting of this Panel.

2. Declarations of Interest.

There were no declarations of interest by Members in terms of Council Standing Order No. 17 and the Councillors' Code of Conduct.

3. Variation to order of business.

In terms of Council Standing Order No. 13.2, the Panel agreed to vary the order of business as hereinafter minuted.

4. Minutes of previous meeting.

The Minutes of the previous meeting of 7th May 2013 (issued) ([link attached](#)) were submitted and noted.

5. Scrutiny Reviews.

Reference was made to the Minutes of 7th May 2013 (Page 332, paragraph 4) when verbal updates had been given in relation to the two Scrutiny reviews currently being undertaken by this Panel, namely

- (1) Community Involvement in Grounds Maintenance; and
- (2) the future shape and purpose of libraries in South Ayrshire.

The Executive Director - Economy, Neighbourhood and Environment advised that it was proposed to report the findings of the two Reviews to the next meeting of this Panel scheduled to take place on 1st October 2013 with the final reports on the two Reviews being reported to the meeting of this Panel scheduled to take place on 12th November 2013.

Decided: to note the proposals as detailed above.

6. Annual Performance Report to 31st March 2013.

There was submitted a report (issued) ([link attached](#)) of 27th August 2013 by the Head of Policy, Community Planning and Public Affairs outlining the Council's progress against its Corporate Plan to 31st March 2013 in relation to those corporate aims and objectives which fall within the remit of this Panel.

A full discussion took place and various general points were made by Members in relation to the report, namely:-

- that the reporting style was clear and concise;
- that there were some concerns over ease of navigation with commentaries and performance measures not always aligning and that it would be better to have measures followed by assessments;
- the quality assurance processes in place relating to the distribution of performance information to Members;
- the importance of differentiating between reporting outcomes and outputs; and
- that it was felt that in addition to showing the trend for each measure, it would be helpful to have targets with which to assess whether the Council had delivered what it had planned.

The Panel worked through the report covering the following issues to which the relevant officers responded accordingly, namely:-

(1) Aim 01 - Businesses in South Ayrshire are enterprising, innovative and equipped to succeed in a changing world.

With regard to falling visitor numbers to Culzean being reported, concern was expressed that there had not been a recent meeting of the Culzean Country Park Joint Board. The delay was explained to be due to a review of the operation of Culzean, which was nearing conclusion.

The Panel discussed the work being done to support business creation and development, and the fact that some performance measures relating to this activity appeared to be declining. It was reported that the Enterprise Service was becoming more proactive in getting businesses to come to it for support, and that major initiatives were in hand, such as the launch of the AMBITION enterprise and employment programme.

- (2) Aim 02 - South Ayrshire has the appropriate infrastructure in place to support social and economic activity.

Clarification was sought on what “quick wins” could be achieved in South Ayrshire town centres. It was noted the range of current activity in Ayr, that there was potential to present a vision for the town centres e.g. in relation to bring culture into town centres and an update on a range of significant and exciting cultural developments. It was suggested the Council needed to do more to publicise and set out what was actually being achieved.

The significant improvement in the performance of the planning service was noted.

- (3) Aim 09 - South Ayrshire is a safe place in which to live, work and visit.

The Panel recognised the significant reduction in road casualties relating to impact of the partnership working in the delivery of the Reckless Driving Wrecks lives programme.

The Panel discussed the reason for the significant drop in the number of noise complaints and concluded the report as it stood could perhaps be regarded as misleading. The explanation for the decline was at least in part due to a reduction in the level of service provided by the Ayrshire Out of Hours Noise Team, which now only operated over two nights (Friday and Saturday) rather than four nights (Thursday – Sunday). The performance information only reflected the complaints they handled, but their performance in terms of average time to attend on site had been maintained at thirty minutes. It was noted that the service was currently under review.

- (4) Aim 10 - People in South Ayrshire are supported to improve their own communities.

The Panel recognised the good news being reported in relation to young people engaging in youth programmes and the decrease in the numbers of complaints of youth disorder. The work of the campus police was also praised.

- (5) Aim 11 - South Ayrshire has sustainable and accessible amenities and services to meet the needs of all communities.

The Panel discussed the issues around the decline in the number of visitors to museums in South Ayrshire during 2012/13 and noted the success of recent exhibitions and the work being done to attract new and wider audiences.

The Panel further discussed the decline in the number of visits to libraries, and the development of the e-book service and potential issues around increasing uptake.

- (6) Aim 12 - South Ayrshire has attractive built and natural environments, appreciated by its citizens and visitors.

The Panel discussed the continuing challenges of dealing with dog fouling and the reported decline in the number of dog fouling patrols since 2010/11 and noted that a new dog fouling campaign was about to be launched called 'Respect' and that the resources devoted to enforcement had been increased, which would lead to an increase in the number of dog fouling patrols. There was further discussion on the need for intelligence over those who were not responsible dog owners and queried whether publicity could be given to those who were fined to deter others but were advised that this was not feasible.

Concern was expressed over the ability to maintain the flower beds in rural villages.

- (7) Aim 13 - South Ayrshire is addressing the challenges of climate change and the need to adopt more sustainable practices.

The Panel queried the missing information in relation to energy costs of Council buildings; percentage reduction in CO2 emissions; and the household waste/recycling figures. The availability of detailed data on energy consumption across all Council properties was queried, as was the increasing consumption of street lights, despite the energy efficiency measures that had been introduced. It was explained that the increase was down to new residential developments being added into the network.

After it had been queried why there had been a doubling in the number of complaints relating to the refuse service it was explained that this was a consequence of the recent route optimisation exercise that changed the collection days for many residents and that the Council should be able to learn from the analysis of such complaints as to how future changes may be better handled in the future. It was noted the challenges posed by South Ayrshire having the oldest age profile in Scotland and the implications this had on route optimisation (where crews required to bring out bins) and the impact on efficiency and that an exercise had been undertaken to contact all service users to update the Council's records of who required assistance.

Discussion took place on the use of electric vehicles within the Council's fleet.

Decided:

- (a) to agree that the energy efficiency of the Council's operations should be the subject of a future presentation to the members of the Panel, with a view to it being considered as a suitable topic for a future scrutiny review;
- (b) that the following information be provided to Members:-
- an explanation over the handling of noise complaints outwith the period of coverage provided by the Ayrshire Out of Hours Noise Team;
 - the missing information in relation to energy costs of Council buildings and the percentage reduction in CO2 emissions; and

- a further explanation of the increase in street lighting consumption; and
- (c) to otherwise note the progress of elements relating to the remit of this Panel in the Annual Performance Report to 31st March 2013, as detailed in Appendix 1 to the report.

Adjournment.

The time being 11.20 am, the Panel agreed to adjourn for ten minutes.

Resumption of meeting.

The Panel resumed at 11.30 a.m.

7. Item for Call-in: Supplementary Guidance – Historic Environment, Alterations and Extension to Houses and Rural Housing.

Reference was made to the Minutes of the Leadership Panel of 27th August 2013 (Page 000, paragraph 8) when that Panel, having considered a report of 16th August 2013 by the Executive Director – Economy, Neighbourhood and Environment, had agreed that subject to amendment for clarification of the wording used in the guidance relating to “traditional” and “non traditional” design,

- (1) to approve the “Rural Housing Supplementary Guidance”; “Alterations and Extensions to Houses Supplementary Guidance”; and “Historic Environment Supplementary Guidance” as set out in Appendices I-III of the report; and
- (2) to grant delegated powers to the Executive Director - Economy, Neighbourhood and Environment to progress “Rural Housing Supplementary Guidance”; “Alterations and Extensions to Houses Supplementary Guidance”; and “Historic Environment Supplementary Guidance” towards adoption following the required statutory procedures and subsequent to the adoption of the South Ayrshire Local Development Plan.

The Panel was advised that the report had been the subject of a call-in (issued) ([link attached](#)) details of which, together with the written responses circulated in advance of the meeting are outlined below.

Question 1

How prescriptive guidance is on perceived damage to landscape rural character (suburban intrusion).

Answer 1

The Supplementary Guidance seeks to protect landscape character and prevent suburbanisation. Suburbanisation styles fall below the design standard for either ‘traditional’ or ‘innovative’ designed styles. Design Policy 1 provides guidance for all new rural housing. The opposite of this guidance would introduce detrimental landscape impact and/or ‘suburbanisation’. For example, development which altered the existing topography of the site through substantial land cutting.

Question 2

Clarity of guidance for people with more modern designs.

Answer 2

The acceptability of modern or innovative design is embedded throughout the Supplementary Guidance. Although there is a general steer toward adopting local vernacular design solutions, or use of materials, this does not preclude non-traditional design styles. Modern, or innovative, designed development require to meet the guidance in Design Panel 1 in terms of its fit and form with the landscape. It is thought that defining more specific design guidance for modern or innovative developments would become overly restrictive and counter-productive to achieving high quality design. A development which takes some, but not necessarily all, of its design clues from the guidance set out in Table 1 of Policy 2 for Traditional Housing, even though the overall design is contemporary, is likely to form a high quality design standard.

Question 3

Clarity of rules for applicants wishing to build on dilapidated sites.

Answer 3

There is no longer a policy dealing with conversion of existing buildings. Instead there is guidance that deals with rehabilitation of buildings. This guidance covers dilapidated sites. The guidance allows for both the conversion of existing buildings and their replacement provided that this has a positive environmental impact and involves a high quality design solution. Within the greenbelt there remains an adherence to ensuring that the building is converted rather than re-built.

The Chair invited Councillor Galbraith to explain her reasons for the call-in and heard her state that it had been her understanding that this report was not going to be considered at the Leadership Panel last week as there had been concerns expressed regarding its content, in particular the “prescriptive” nature of the requirements set out in Table 1 and how this applied to non-traditional design. It was clarified that, as agreed at Leadership Panel, the wording of the draft Guidance would be amended so as to clarify its intent in relation to “non-traditional” design.

Councillor Convery, who had also supported the call-in similarly expressed his concern

- (a) that the matter had been considered at the Leadership Panel last week and that it would have been helpful if there had been a seminar prior to its consideration at the Leadership Panel; and
- (b) relating to amendments that had been made to the guidance in respect of the section entitled “Design of New Houses in the Countryside”, this should go back out to consultation prior to its implementation.

The Acting Executive Director – Resources, Governance and Organisation advised

- that the matter had originally been considered by South Ayrshire Council on 25th April 2013 when it had been agreed to approve the draft “Rural Housing Supplementary Guidance”; “Alterations and Extensions to Houses Supplementary Guidance”; and, “Historic Environment Supplementary Guidance”, for public consultation; and

- that she had given legal advice to the Leader of the Council prior to the report being considered by the Leadership Panel and that the report was an update for Members on progress and was to gain approval to move to the next stage of its implementation.

Following discussion and again having heard Councillor Convery state that since, in his view, a critical part of the guidance had been amended, a further consultation exercise should take place, the Acting Executive Director – Resources, Governance and Organisation advised that as the view of the planners was that the changes to the guidance were not material, this did not need further consultation.

The Panel then heard from Councillor Bill Grant, Portfolio-holder, who stated similarly that the change to the guidance on Rural Housing was not a material change so did not require further consultation but that the guidance should have an improved layout.

Following discussion, it was agreed that the presentation and quality of the supplementary guidance presented to the Leadership Panel required improvement.

Decided: following review,

- (1) that the decision of the Leadership Panel in respect of this matter be confirmed and implemented;
- (2) that the supplementary guidance on Rural Housing be re-formatted to make it easier to understand with there being clearer headings and numbering of the tables;
- (3) that it be made clearer that table 1 of the supplementary guidance on Rural Housing relates specifically to new housing in the countryside which seeks to achieve traditional appearance; and
- (4) that as the use of the words "not preclude" was seen as a negative term, it should be amended in the guidance.

The meeting ended at 12.15 p.m.