

EAST KILBRIDE AREA COMMITTEE

Minutes of meeting held in the Civic Centre, East Kilbride on 24 November 2004

Chair:

Councillor Bill McNab

Councillors Present:

Tony Carlin, Carol Hughes, Hector Macdonald, James Malloy (Depute), Michael McCann, Alice Marie Mitchell, Graham Scott, Jim Wardhaugh

Councillors' Apologies:

Stewart Crawford, Jim Daisley, Gerry Docherty, Jim Docherty, Anne Maggs, Edward McAvoy, John McGuinness

Attending:

Corporate Resources

S McLeod, Administration Officer

Enterprise Resources

L Campbell, Planning Officer; B Dickson, Team Leader, Planning and Building Control (East Kilbride); G Morrison, Divisional Engineer, Roads (East Kilbride) and M Neill, Planning Officer

Education Resources

M Campbell, Headteacher, West Mains Primary School; J McPherson, Education Support Officer; A Rooney, Specialist Services Manager and K Thorburn, Headteacher, Kirklandpark Primary School

1 Declaration of Interests

The following interest was declared:-

Councillor(s)	Item(s)	Nature of Interest(s)
McNab	Community Grant Application EK/88/04 Strathaven Foal Show	Related to member of Strathaven Foal Show

2 Minutes of Previous Meeting

The minutes of the meeting of the East Kilbride Area Committee held on 27 October 2004 were submitted for approval as a correct record.

The Committee decided: that the minutes be approved as a correct record.

3 Planning Applications

A report dated 10 November 2004 by the Executive Director (Enterprise Resources) was submitted on applications for planning permission.

The Committee decided:

- (1) that the following planning applications be granted subject to the conditions specified in the Executive Director's report:-

- (a) Applicant: A McLeish
 Proposal: Change of use from agriculture to form forestry, agricultural and engineering contractor's business (retrospective) (EK/04/0069)
 Location: Rench Farm, Meadowfoot Road, Drumclog
- (b) Applicant: Persimmon Homes (West Scotland) Limited
 Proposal: Erection of conservatories at plots 7-9 and 11-16 and the removal of false chimneys on plots 7-16 (amendment to planning consent EK/03/0542) (EK/04/0562)
 Location: Site at corner of Station Road, Jackson Street and Townhead Street, Glassford

[Reference: Minutes of Planning Committee of 20 January 2004 (Paragraph 10)]

- (c) Applicant: T Brolly
 Proposal: Erection of extension and realignment of boundary fence (EK/04/0569)
 Location: 2 Swift Place, East Kilbride
- (d) Applicant: Cala Management Limited
 Proposal: Substitution of house types at plots 1-6, 14, 16 and 26 (amendment to planning consent EK/03/0497) (EK/04/0591)
 Location: Laigh Braehead, Braehead Road, Thorntonhall

[Reference: Minutes of Planning Committee of 2 December 2003 (Paragraph 5)]

- (2) that the following planning application be refused for the reasons specified in the Executive Directors report:-

- (a) Applicant: Crown Castle International
 Proposal: Erection of telecommunications monopole, installation of equipment cabinet and formation of site compound (EK/04/0251)
 Location: Strathaven Telephone Exchange, Castle Street, Strathaven

4 Enforcement Action - Landscaping at Land Surrounding Areas H6 and H7, Lindsayfield, East Kilbride

A report dated 10 November 2004 by the Executive Director (Enterprise Resources) was submitted on the requirement for enforcement action against John Lynch (Developments) Limited for failure to implement landscaping as agreed as part of planning consent EK/96/193.

Condition 6 of this consent stipulated that the landscaping scheme would be subject to a phased development and that the scheme, including play areas, footpaths and recreational facilities, would be submitted in detail and completed prior to any houses being constructed in each phase. In addition, a Section 50 Legal Agreement covering the entire Lindsayfield development required all areas of landscaping to be handed over to the Council for adoption on completion.

Over time, ownership of some areas of land, along with the landscaping responsibilities, had been transferred by John Lynch (Developments) Limited to several other developers including Wimpey Homes, Barratt, Stewart Milne Homes, Wilcon Homes and Miller Homes. The Council also had an interest in the housing built on sites H6 and H7, part of which included social housing. Whilst the majority of the landscaping surrounding the completed developments within Lindsayfield had been finished or were the subject of discussions between the Council and the

various developers, no works had been commenced to complete the landscaping of sites H6 and H7 in accordance with the approved plans.

A Planning Contravention Notice had been served on John Lynch (Developments) Limited on 11 February and 11 April 2000 to determine land ownership within the site. A Breach of Conditions Notice had then been served on 16 October 2000 informing John Lynch (Developments) Limited

of the action they were required to take to comply with Condition 6 of planning consent EK/96/193. This had not been complied with and an Enforcement Notice was served. The Enforcement Notice had not been complied with either and, therefore, a report had been submitted to the Procurator Fiscal with a view to prosecution. The Sheriff had found in favour of the Council and the outstanding landscaping works around site H15 (Rosaburn Avenue) had been implemented and handed over to the Council for maintenance. Those works constituted part of the outstanding landscaping works at Lindsayfield. However, the area within Lynch's ownership around H6 and H7 remained incomplete and, therefore, the Enforcement Notice had not been complied with. Further correspondence had recently been sent to John Lynch (Developments) Limited in a bid to rectify the situation but no response had been received.

It was proposed that a further Breach of Conditions Notice and an Enforcement Notice be served on John Lynch (Developments) Limited restating the action required to comply with Condition 6 of planning consent EK/96/193. Failure to comply with the terms of the Notices would then allow the Council to take this matter further by submitting a report to the Procurator Fiscal with a view towards prosecution.

The Committee decided:

- (1) that a Breach of Conditions Notice and an Enforcement Notice be served on John Lynch (Developments) Limited to ensure that the required landscaping works within sites H6 and H7 at Lindsayfield, East Kilbride were completed and maintained to the satisfaction of the Council; and
- (2) that any failure to comply with either the Breach of Conditions Notice or the Enforcement Notice be reported to the Procurator Fiscal.

[Reference: Minutes of 7 February 2001 (Paragraph 2)]

5 Community Grant Applications

A report dated 8 November 2004 by the Executive Director (Corporate Resources) was submitted on applications for Community Grant.

The Committee decided: that the applications be dealt with as follows:-

- (a) Applicant: Globe Court Tenants' and Residents' Association, East Kilbride (EK/64/04)
Purpose of Grant: Equipment
Amount Awarded: £600
- (b) Applicant: Our Lady of Lourdes Friendship Club, East Kilbride (EK/80/04)
Purpose of Grant: Transport costs and entrance fees
Amount Awarded: £350

- (c) Applicant: National Schizophrenia Fellowship (Scotland) East Kilbride Group (EK/82/04)
Purpose of Grant: Transport costs, entrance fees and publication costs
Amount Awarded: £650
- (d) Applicant: Strathaven Business Association (EK/83/04)
Purpose of Grant: Special event
Amount Awarded: £800
- (e) Applicant: Chapelton Bowling Club (EK/84/04)
Purpose of Grant: Equipment
Amount Awarded: £300
- (f) Applicant: Chapelton Silver Circle (EK/85/04)
Purpose of Grant: Transport costs
Amount Awarded: £400
- (g) Applicant: Avendale Fellowship, Strathaven (EK/86/04)
Purpose of Grant: Transport costs and entrance fees
Amount Awarded: £260
- (h) Applicant: Carnegie Hill Ladies' Club, East Kilbride (EK/87/04)
Purpose of Grant: Transport costs
Amount Awarded: £200
- (i) Applicant: Strathaven Foal Show (EK/88/04)
Purpose of Grant: Special event
Amount Awarded: £800

Councillor McNab, having declared an interest in the above application, withdrew from the meeting during its consideration. Councillor Malloy took the Chair for this application only.

- (j) Applicant: Sadler's Wells Court Residents' Association, East Kilbride (EK/89/04)
Purpose of Grant: Transport costs and entrance fees
Amount Awarded: £300
- (k) Applicant: Chapelton Indoor Bowling Club (EK/90/04)
Purpose of Grant: Transport costs
Amount Awarded: £200
- (l) Applicant: Whitehills Senior Citizen Club, East Kilbride (EK/91/04)
Purpose of Grant: Transport costs, entrance fees and special event
Amount Awarded: £700

6 Her Majesty's Inspectorate of Education - Kirklandpark Primary School, Strathaven

A report dated 9 November 2004 by the Executive Director (Education Resources) was submitted on the key points made by Her Majesty's Inspectorate of Education (HMIe) in their report, published in October 2004, on the inspection of Kirklandpark Primary School, Strathaven.

The Inspection of Kirklandpark Primary School had taken place in May 2004. Education Resources' employees would ensure that the recommendations contained within the report were followed up and that appropriate support was made available at Kirklandpark Primary School.

The Headteacher spoke on key aspects of the report.

The Committee decided: that the report be noted.

7 Her Majesty's Inspectorate of Education - West Mains Primary School, East Kilbride

A report dated 9 November 2004 by the Executive Director (Education Resources) was submitted on the key points made by Her Majesty's Inspectorate of Education (HMIe) in their report, published in October 2004, on the inspection of West Mains Primary School, East Kilbride.

The inspection of West Mains Primary School had taken place in May 2004. Education Resources' employees would ensure that the recommendations contained within the report were followed up and that appropriate support was made available at West Mains Primary School.

The Headteacher spoke on key aspects of the report.

The Committee decided: that the report be noted.

8 Urgent Business

There were no items of urgent business.