

REGULATORY PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 17th March 2011 at 10.00 a.m.

For Item 1:

Present: Councillors Ian Fitzsimmons (Chair), Andy Campbell, Ian Douglas, Ann Galbraith, Sandra Goldie and Alec Oattes.

Apologies: Councillors John Allan and Bill Grant.

Attending: M. Newall, Head of Planning and Enterprise; C. Cox, Planning Manager; W. Carlaw, Acting Legal Manager; M. McClelland, Development Management and Business Change Team Leader; C. Parish, Priority Projects Team Leader; and A. Gibson, Committee Administrative Officer.

For Items 2 to 7:

Present: Councillors Ian Fitzsimmons (Chair), Andy Campbell, Ian Douglas, Ann Galbraith, Sandra Goldie, Bill Grant and Alec Oattes.

Apology: Councillor John Allan.

Attending: C. Neillie, Solicitor; M. Douglas, Licensing Policy Officer; M. Toshner, Building Standards Manager; and J. McClure, Committee Administrative Officer.

Also Attending: Inspector P. Seditas, Sergeant U. Menzies and Constable J. McDonagh, Strathclyde Police.

1. Applications for Planning Permission.

There were submitted reports (issued) of March 2011 by the Executive Director - Development and Environment and letters of objection or support, as appropriate, on current applications for determination.

The Panel decided as follows:-

- (1) 10/00974/APP and 10/00975/LBC – PRESTWICK – 80 Main Street – Change of use of leisure centre to form public house.**

Decided: to approve the planning application (Ref: 10/00974/APP) subject to the following conditions:-

- (a) that the development hereby permitted shall be begun within three years of the date of this permission;

- (b) that the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority;
- (c) that the findings of the submitted noise report shall be adhered to;
- (d) that a ventilation system incorporating an air dilution and/or filtration system of the type hereby approved shall be installed and operational prior to the commencement of the use and thereafter shall be retained as approved. The proposed method of filtration details shall be submitted for the formal prior written approval of the Planning Authority before the use commences on site;
- (e) that there shall be no form of amplified sound or noise systems in the premises;
- (f) that the emptying of waste from the premises to external containers shall be restricted to daylight hours only, no earlier than 8 a.m. or later than 10 p.m.;
- (g) that deliveries to and from the premises shall be restricted to daylight hours only, no earlier than 8 a.m. or later than 10 p.m.;
- (h) that 20 off-road parking spaces shall be provided within the existing site boundary in accordance with the Council's Roads Development Guide, before completion of the development. Precise details and specifications of the required parking provision shall be submitted for the prior written approval of the Planning Authority before any work commences on site;
- (i) that parking bays shall be a minimum of 4.8 metres x 2.5 metres with minimum aisle widths of 6 metres;
- (j) that the parking required by condition (h) on this consent notice shall incorporate sustainable urban drainage systems (e.g. permeable surfacing, filter trenches/soakaways, if ground conditions are suitable, and attenuation before the surface run-off enters the existing sewer). Precise details and specifications of the drainage arrangements shall be submitted for the prior written approval of the Planning Authority before any work commences on site; and
- (k) that the discharge of water onto the public road carriageway shall be prevented by drainage or other means, precise details and specifications of how this shall be achieved shall be submitted for the prior written approval of the Planning Authority before any work commences on site.

Reasons:

- (a) to be in compliance with Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 20 of the Planning Etc. (Scotland) Act 2006;
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (c) to avoid noise disturbance in the interests of residential amenity;
- (d) in order to prevent noise nuisance and to prevent the occurrence of a smell nuisance and in order to retain proper control over the development proposal;
- (e) in order to prevent noise nuisance;
- (f) in order to prevent unacceptable levels of noise nuisance and in the interests of residential amenity;
- (g) in order to prevent unacceptable levels of noise nuisance and in the interests of residential amenity;
- (h) in the interest of road safety and to ensure adequate off-street parking provision;
- (i) in the interest of road safety and to ensure that there is adequate space for manoeuvring and turning;
- (j) to ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained; and
- (k) in the interest of road safety and to avoid the discharge of water on to the public road.

It was further agreed that listed building consent application (Ref: 10/00975/LBC) be approved subject to the following conditions:-

- (i) that the works hereby granted Listed Building Consent shall be commenced within three years of the date of this consent;
- (ii) that the works hereby granted Listed Building Consent shall be implemented in full accordance with the approved plan(s) as listed below unless a variation required by a condition of the consent has been agreed in writing by the Planning Authority;
- (iii) that no internal alterations are approved by this listed building consent. Further detailed application for listed building consent is required for alterations to the interior of the building; and
- (iv) that prior to the commencement of development, samples or a brochure of all materials to be used on external surfaces, in respect of type, colour and texture, shall be submitted for the prior written approval of the Planning Authority.

Reasons:

- (i) to be in compliance with Section 16 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as amended by Section 20 of the Planning Etc. (Scotland) Act 2006;
- (ii) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (iii) to safeguard the historic interior of this listed building; and
- (iv) to safeguard the character and appearance of the listed building.

Advisory Notes:

- the Council as Roads Authority advises that any costs associated with the relocation of any street furniture will require to be borne by the applicant/developer;
- the applicant is advised that, if the proposals hereby approved are altered in any way, for example as a result of obtaining any of the other statutory consents or for any other reason, they should so inform the Planning Authority and submit copies of the amended proposals in order that a view may be taken as to whether the alterations are material or not and whether a fresh application will be required; and
- the applicant is advised to contact Scottish Water regarding the capacity of the local network, trade effluent, grease traps, water pressure and water storage. The relevant contact is Jim Clenaghan, Customer Connections Administrator (telephone 0141 355 5597).

List of Determined Plans:

Drawing - Reference No (or Description): LOC-01;
 Drawing - Reference No (or Description): PL-102;
 Drawing - Reference No (or Description): PL-103;
 Drawing - Reference No (or Description): PL-104;
 Drawing - Reference No (or Description): PL-105; and
 Other - Reference No (or Description): ACCESS STATEMENT.

Reason for Decision:

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

It is considered that the proposal does not detrimentally affect the traditional character or appearance of this statutorily listed building.

- (2) 10/00980/APP and 10/00979/CON – AYR – 2 Victoria Park – Demolition of existing building and erection of residential development.**

Decided:

- to agree that the conservation area consent application (Ref: 10/00979/CON) be refused on the following ground:-
 - (a) that the application to demolish the existing building was contrary to the provisions of Government policy and guidance as expressed in Scottish Planning Policy, Scottish Historic Environment Policy, the Historic Scotland publication entitled Managing Change in the Historic Environment, the provisions of policies STRAT1 and ENV6 in the Ayrshire Joint Structure Plan and policies STRAT5, BE3 and BE5 in the South Ayrshire Local Plan for the following reasons:-

- (i) that the proposed demolition fails to preserve or enhance the character or appearance of the conservation area;
 - (ii) that the existing building is considered to be of substantial value in terms of the townscape and character of the conservation area;
 - (iii) that no satisfactory evidence has been submitted which demonstrates that the building is beyond repair or that the structural condition of the existing building rules out its retention at reasonable cost;
 - (iv) that no evidence has been submitted to state that the form and location of the existing building makes it difficult to re-use;
 - (v) that there are no acceptable proposals for a new building on the site;
 - (vi) that it had not been demonstrated that the building is not sufficiently important to retain;
 - (vii) that the applicant has not submitted any of the detailed information required to demonstrate that it is not economically viable to re-use the building. The information that has been submitted is indicative, incomplete and without satisfactory independent documentary evidence by appropriately qualified professionals as to its reliability;
 - (viii) that it has not been demonstrated that the property has been marketed for a reasonable period to a restoring purchaser at a price reflecting its condition; and
 - (ix) that it has not been demonstrated that there is a wider public benefit which would justify demolition of the building.
- that the planning application (Ref: 10/00980/APP) be refused on the following grounds:-
 - (a) that the application to redevelop the application site was contrary to the provisions of Government policy and guidance as expressed in Scottish Planning Policy, Scottish Historic Environment Policy, the Historic Scotland publication entitled Managing Change in the Historic Environment, the provisions of policies STRAT1 and ENV6 in the Ayrshire Joint Structure Plan and policies STRAT5, BE3 and BE5 in the South Ayrshire Local Plan for the following reasons:-
 - (i) that the proposed demolition fails to preserve or enhance the character or appearance of the conservation area;
 - (ii) that the existing building is considered to be of substantial value in terms of the townscape and character of the conservation area;
 - (iii) that no satisfactory evidence has been submitted which demonstrates that the building is beyond repair or that the structural condition of the existing building rules out its retention at reasonable cost;

- (iv) that no evidence has been submitted to state that the form and location of the existing building makes it difficult to re-use;
 - (v) that there are no acceptable proposals for a new building on the site;
 - (vi) that it has not been demonstrated that the building is not sufficiently important to retain;
 - (vii) that the applicant has not submitted any of the detailed information required to demonstrate that it is not economically viable to re-use the building. The information that has been submitted is indicative, incomplete and without satisfactory independent documentary evidence by appropriately qualified professionals as to its reliability;
 - (viii) that it has not been demonstrated that the property has been marketed for a reasonable period to a restoring purchaser at a price reflecting its condition; and
 - (ix) that it has not been demonstrated that there is a wider public benefit which would justify demolition of the building;
- (b) that the proposed development conflicts with Structure Plan policies STRAT1 and ENV6 and South Ayrshire Local Plan policies STRAT5, BE1, BE5, H5, H6 and H7 as the development proposal does not reflect the scale, character, proportions, massing, external finishes or detailing of the existing buildings which would be to the significant detriment of the conservation area, the setting of adjacent listed buildings and the character and amenity of the area in general. There is no over-riding reason to depart from the development plan; and
- (c) that the proposed development conflicts with South Ayrshire Local Plan Policy H6(f) and the Supplementary Planning Guidance note entitled 'Open Space and Designing New Residential Developments' as the proposal is not considered to be distinctive (unlike the existing building), it would not be as adaptable as the existing building which has exhibited its ability to respond to change over the years to date and it is not resource efficient in that it would be more sustainable to re-use the existing building. Furthermore, the proposal is significantly deficient in the amount and quality of open space and private rear garden ground to be provided for a new development of this size and nature.

List of Determined Plans:

10/00980/APP -

Drawing - Reference No (or Description): EX01;

Drawing - Reference No (or Description): LOC-01;

Drawing - Reference No (or Description): PL01 REV. C;

Other - Reference No (or Description): DESIGN STATEMENT;

Other - Reference No (or Description): PHOTOGRAPHIC RECORD; and

Other - Reference No (or Description): PLANNING STATEMENT.

10/00979/CON -

Drawing - Reference No (or Description): DEM-01;

Drawing - Reference No (or Description): EX01;

Drawing - Reference No (or Description): LOC-01;

Drawing - Reference No (or Description): PL01 REV. C;

Other - Reference No (or Description): DESIGN STATEMENT;

Other - Reference No (or Description): PHOTOGRAPHIC RECORD; and

Other - Reference No (or Description): CONSERVATION AREA STATEMENT.

- (3) **11/00020/FURM – DAILLY – Dalquharran Castle** – Further application so as not to comply with condition 1 of outline planning permission (Ref: 07/01511/OUT).

Decided: to approve the application subject to the following conditions:-

- (a) that formal application(s) for the Approval of Matters Specified in Conditions shall be submitted to, and approved by, the Council before commencement of development. Such application(s) shall be made not later than three years from the date of this permission or, if later, within six months from when an earlier approval for the same matters was refused or dismissed on appeal. The proposed development shall commence within two years from the approval of the requisite Matters Specified in Condition application, or in the case of approval of different matters on different dates, from the requisite approval for the last such matter being obtained;
- (b) that the proposed fractional housing shall not be occupied by person/s as a full time or main residence to the satisfaction of the Planning Authority;
- (c) that the proposed fractional housing shall be 1 or 1½ storey in height and shall be designed in accordance with the Council's Planning Policy Guideline No.9 'The Design and Siting of New and Converted Housing in the Countryside';
- (d) that the developer shall undertake, in consultation with the Scottish Wildlife Trust and Scottish Natural Heritage, species and habitat surveys and thereafter prepare a mitigation strategy for their appropriate protection for the approval of the Planning Authority. The surveys shall inform the design of the proposed golf course and associated development, including the design of water features within the site. Any application for reserved matters for any part of the development hereby granted, shall include details for implementing the provisions of the wildlife mitigation strategy;
- (e) that landscape proposals be submitted concurrently with the detailed plans to the Council for approval, thereafter all planting of trees, shrubs, plants and grassed areas and hard landscaping to be completed within a period of six months from the completion of building works, to be maintained in good condition and if necessary replaced to the satisfaction of the Planning Authority;

- (f) that no trees on the site are to be topped, felled or removed without the prior authority of the Planning Authority;
- (g) that the developer shall notify Network Rail of any mineshafts and adits encountered within 50 metres of the railway during site works and supplied with details relating to location, depth and method of treatment, to the satisfaction of the Planning Authority;
- (h) that the applicant shall install surface water treatment system designed and constructed in accordance with the principles of the Sustainable Urban Drainage System Design Manual Scotland and Northern Ireland, C521 published by CIRIA (March 2000);
- (i) that the developer shall undertake, in consultation with the West of Scotland Archaeological Service, an archaeological evaluation of the site and thereafter prepare a detailed mitigation strategy (which shall also include proposals for preservation of archaeological remains in their avoidance and fencing during construction, and further stages of excavation, post excavation analysis and publication as required). Following agreement with the West of Scotland Archaeological Service this archaeological mitigation strategy shall be submitted for the approval of the Planning Authority. Any application for reserved matters, for any part of the development hereby granted, shall include details for implementing the provisions of the archaeological mitigation strategy;
- (j) that the applicant shall be responsible for any costs associated with the relocation of street furniture;
- (k) that all costs associated with the provision of street furniture (such as pedestrian guard rails or road warning signs) which may be related to the application shall require to be borne by the applicant;
- (l) that access to the site shall require to be taken via a new road junction onto the C29 public road (i.e. kerbed radii, road construction, etc. to the specification of Strategy and Design Services);
- (m) that access to the site shall require to be taken from an agreed location of the main site access some 170 metres eastwards from the junction of the C29 with the B742 as identified on Location A on the plan accompanying the Council's Roads Engineer's response dated August 2004;
- (n) that the existing main access shall be closed off beyond the lodge house and access at this location should be limited to vehicles visiting the lodge house only;
- (o) that an emergency access shall be provided at an agreed location with Strategy and Design Services (junction radii, kerbing and road construction etc., to the specification of Strategy and Design Services);

- (p) that junction visibility splay areas of 4.5 metres x 160 metres shall require to be formed and maintained at the connection to the main site access with the public road. No obstruction greater than one metre in height shall be permitted within these areas;
- (q) that the applicant shall require to provide a 2 metre footway along the site frontage (on the C29 to connect with the existing footway system on the B741 at location B on the plan accompanying the council's Roads Engineer's response dated 16th August 2004;
- (r) that the applicant shall require to provide a 2 metre footway along the site frontage (on the C29) to connect with the existing footway system on the B741 at location B on the plan accompanying the Council's Roads Engineers response dated 16th August 2004;
- (s) that the remainder of the road system serving the hotel and golf course complex shall not be adopted;
- (t) that no surface water from the site shall be permitted to discharge onto the public road and any sustainable drainage system proposed for the site shall remain private with no cost implications for the Council;
- (u) that all parking associated with the application shall require to be accommodated within the site and the provision and layout will require to comply with the latest Roads Development Guide. The dwelling houses shall require to have at least two off-road parking spaces per unit; and
- (v) that any gates shall require to open away from the public road.

Reasons:

- (a) to be in compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997 as amended by section 21 of the Planning Etc. (Scotland) Act 2006;
- (b) in the interests of the proper planning of the area;
- (c) in the interests of visual amenity;
- (d) in the interests of protection of natural heritage;
- (e) and (f) in the interests of visual amenity;
- (g) in the interest of safety, Network Rail needs to be aware of mine workings in the vicinity of the railway infrastructure;
- h) in the interests of sustainable development;
- (i) in the interest of archaeology; and
- (j) to (v) in the interests of road safety

Advisory Note:

The applicant is advised that the provisions of planning permission 07/01389/FUL should be read in conjunction with planning permission 11/00020/FURM in so far as they replace condition (b), (c) and (m) with the following: -

- (b) that the proposed housing shall number no more than 60, the occupancy of which shall be tied to membership of the associated golf course; to the satisfaction of the Planning Authority. An additional 5 houses shall be used in conjunction with the proposed hotel and shall not be occupied by person(s) as a full time or main residence to the satisfaction of the Planning Authority;
- (c) that the proposed housing shall be 1 or 1½ storey in height and shall be designed in accordance with the Council's Planning policy Guideline No.9 'the Design and Siting of New and Converted Housing in the Countryside'; and
- (m) that access to the site shall require to be taken from two agreed location some 450 metres westwards and 480 metres eastwards respectively from the junction of the C29 with the B742 as identified on Blyth and Blyth Drawing No EC19214:30:95sk004.

List of Determined Plans:

Location Plan.

Reason for Decision:

The principle of the development hereby approved can be justified in terms of the development plan, and subject to appropriate conditions and the submission of application(s) for the Approval of Matters Specified in Conditions, there is no significant adverse impact on the amenity of neighbouring land and buildings.

- (4) **10/01615/APP – AYR – 116 Overmills Road** – Change of use of open space to form garden ground and erection of boundary fence.

Decided: to refuse the application on the following grounds:-

- (a) that the development is contrary to Policy STRAT5 of the South Ayrshire Local Plan, in that the siting, setting and use of the land results in the loss of an area of designated public open space, which adversely impacts on the character and amenity of the area; and
- (b) that the development is contrary to Policy H6 of the South Ayrshire Local Plan, in that the siting, setting and use of the land results in the loss of an area of designated public open space, which adversely impacts on the character and amenity of the area.

List of Determined Plans:

Drawing - Reference No (or Description): LOCATION PLAN; and

Drawing - Reference No (or Description): PROPOSED PLAN AND FENCE DETAIL.

- (5) **11/00062/APP –AYR – Former Stable Block, Belleisle Park, Doonfoot Road** – Change of use of land for the temporary erection of a portacabin for hot-food catering facility.

Decided: to approve the application subject to the following conditions:-

- (a) that the development hereby permitted shall be begun within three years of the date of this permission;
- (b) that the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority; and
- (c) that the approval for the proposed structure is limited to a period of three years from the date of this permission when the structure shall be removed from the site and the land be restored to its former condition in accordance with a written specification, including a timescale within which the works shall be implemented, to be submitted for the prior written approval of the Planning Authority.

Reasons:

- (a) to be in compliance with Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 20 of the Planning Etc. (Scotland) Act 2006;
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed; and
- (c) the use of the land is of a temporary nature and is only acceptable as a temporary expedient.

List of Determined Plans:

Drawing - Reference No (or Description): LOCATION PLAN;
 Drawing - Reference No (or Description): EXISTING SITE PLAN;
 Drawing - Reference No (or Description): PROPOSED SITE PLAN;
 Drawing - Reference No (or Description): PROPOSED FLOOR & BLOCK PLANS;
 Drawing - Reference No (or Description): PROPOSED ELEVATIONS; and
 Drawing - Reference No (or Description): PROPOSED DESIGN SECTION.

Reason for Decision:

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

(6) 11/00168/APP – TROON – 28 Golf Crescent – Erection of garage.

Decided: to approve the application subject to the following conditions:-

- (a) that the development hereby permitted shall be begun within three years of the date of this permission;
- (b) that the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority;
- (c) that notwithstanding the plans hereby approved, all proposed materials to be used on external surfaces shall match the existing dwellinghouse to the satisfaction of the Planning Authority;
- (d) that the garage shall be used solely for domestic purposes incidental to the use of the dwellinghouse and no commercial activities shall be undertaken to the satisfaction of the Planning Authority;
- (e) that the existing off-road parking provision shall be retained within the curtilage of the property; and
- (f) that prior to occupation of the development any gates shall open inwards away from the public roadway.

Reasons:

- (a) to be in compliance with Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 20 of the Planning Etc. (Scotland) Act 2006;
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (c) to ensure that materials are appropriate for the site and in the interests of visual amenity;
- (d) in the interests of residential amenity;
- (e) in the interest of road safety and to ensure adequate off-street parking provision; and
- (f) in the interest of road safety.

Advisory Notes:

- the Council as Roads Authority advises that any costs associated with the relocation of any street furniture shall require to be borne by the applicant/developer; and
- the Council as Roads Authority advises that access to the site shall be by way of an existing footway crossing, and any alterations to the footway crossing shall be in accordance with the Council's Road Development Guide.

List of Determined Plans:

Drawing - Reference No (or Description): 1P; and
Drawing - Reference No (or Description): 2P.

Reason for Decision:

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

At this point, the time being 11.25 a.m., it was noted that the Panel would resume at 2.00 p.m. to consider the Licensing Applications.

2. Resumption of Meeting.

The meeting resumed at 2.00 p.m.

3. Variation in order of business.

In terms of Council Standing Order No. 10, the Panel agreed to vary the order of business as hereinafter minuted.

4. Civic Government (Scotland) Act 1982 - Licences.

Councillor Grant declared an interest in the following application as the applicant was known to him and withdrew from the meeting during consideration of this matter.

(a) Houses in Multiple Occupation.

Amber House (Holdings) Limited and Mrs. Lesley Abernethy for premises at 9, 11 Barns Street, Ayr.

The Panel heard the Building Standards Manager and the applicant's representative in response in relation to this application.

Decided: to continue consideration of this application to the meeting of this Panel scheduled to be held on Thursday, 19th May 2011 to allow the applicant to apply for a Building Warrant for the conversion of the premises at 9 and 11 Barns Street, Ayr to a House of Multiple Occupation.

(b) Taxi Drivers.

- (i) The Panel heard an observation from Strathclyde Police and the applicant, Stephen Waldron, in response.

Decided: to approve this application for three years, subject to standard conditions as previously agreed.

- (ii) The Panel heard an objection from Strathclyde Police, and the applicant, Graeme Nicol, in response.

Decided: to refuse this application on the grounds that, in terms of paragraph 5(3)(a)(ii) of Schedule 1 of the Civic Government (Scotland) Act 1982, in their opinion, the applicant was not a fit and proper person to be the holder of the licence.

- (iii) The Panel considered the application from Leslie Mullan.

Decided: at the request of the applicant, to continue consideration of this application to the next meeting of this Panel scheduled to be held on Thursday, 21st April 2011.

- (iv) The Panel heard from James Hynd in relation to his application.

Decided: to approve this application for three years, subject to standard conditions as previously agreed.

- (v) The Panel considered the application from John Woods.

Decided: to refuse this application as the applicant had failed to submit two passport photographs or have his photograph taken in the Licensing Office to enable his taxi licence and driver badge to be issued.

- (vi) The Panel heard from the father of Peter McMillan who had attended to represent the applicant.

Decided: to continue consideration of this application to the next meeting of this Panel scheduled to be held on Thursday, 21st April 2011 to allow the applicant's father to obtain a letter from the applicant confirming that he was his representative.

- (vii) The Panel considered the application from William Cullimore.

Decided: to approve this application for three years, subject to standard conditions as previously agreed.

(viii) The Panel considered the proposed suspension of various licences.

Decided:

(A) to agree to suspend the licences held by the following for their unexpired portions as they had failed to undertake training as per the licences issued to them:-

Gordon Murray;
John McCulloch;
Gordon Martin;
Sean Docherty; and

(B) having heard Robert Clegg, to suspend his licence until he had undertaken and passed the appropriate training course.

(c) **Private Hire Car Driver.**

The Panel heard from Peter Malone in relation to his application.

Decided: to approve this application for three years, subject to standard conditions as previously agreed.

(d) **Private Hire Car Vehicle.**

The Panel considered the proposed suspension of the licence held by John Woods.

Decided: to suspend the licence previously held by John Woods with immediate effect for its unexpired portion as he had failed to present his car for annual inspection in terms of Condition 3 of the Private Hire Car Vehicle Licence.

(e) **Street Traders.**

(i) **Michael O'Neil, Ryanair Hangar, Prestwick Airport Maintenance, Business Aviation Centre, Glasgow Prestwick International Airport for Sale of Hot and Cold Food, Drink and Confectionery.**

Decided: having heard from the applicant's representative and having considered the letter of objection, to approve this application for three years, subject to standard conditions as previously agreed.

(ii) **Shonach Wilson, Harbour Road, Troon for Sale of Hot and Cold Food.**

Decided: to approve this application for three years, subject to the conditions from Neighbourhood Services and Planning Service and subject to standard conditions as previously agreed.

(f) Late Hours Catering.

- (i) **BP Express Shopping Limited and Louise McConville for BP Monkton Express, Kilmarnock Road, Monkton.**

Decided: to approve this application for three years, the approved hours being every Monday to Sunday inclusive from 11.00 p.m. to 5.00 a.m., subject to standard conditions as previously agreed.

- (ii) **Kerim Cirik, 54 Walker Road, Troon, KA10 6RZ for 109 Portland Street, Troon, KA10 6QN.**

The Panel heard from the applicant's representative in relation to this application.

Decided: to approve this application for three years, the approved hours being every Monday to Sunday inclusive from 11.00 p.m. to 1.00 a.m., subject to standard conditions as previously agreed.

(g) Houses in Multiple Occupation.

- (i) **Rachael Gibbons for premises at 1 Citadel Place, Ayr, KA7 1JN.**

Decided: to continue consideration of this application to a future meeting of this Panel to allow further information to be sought.

- (ii) **Rachael Gibbons for premises at 3 Citadel Place, Ayr, KA7 1JN.**

Decided: to continue consideration of this application to a future meeting of this Panel to allow further information to be sought.

5. Late Hours Catering Licence – Application for Variation.**Kawal Jit Kaur for “Flames”, 32 Smith Street, Ayr.**

Decided: to approve this application for three years, the approved hours being every Monday to Thursday inclusive from 11.00 p.m. to 1.00 a.m.; every Friday and Saturday from 11.00 p.m. to 2.30 a.m. and every Sunday from 11.00 p.m. to midnight, subject to standard conditions as previously agreed.

6. Civic Government (Scotland) Act 1982 - Licences.**Taxi Driver.**

The Panel considered the application from Graham Lennon.

Decided: to reinstate the licence previously held by Graham Lennon as he had now undertaken and passed the appropriate training course.

7. Review of Metered Taxi and Private Hire Fares.

With reference to the Minutes of 20th January 2011 (Page 104, paragraph 8) when it had been agreed

- (1) to approve the proposed maximum fares; and
- (2) to advertise the proposed fares structure in the local press to allow all interested parties to make representation in terms of Section 17 of the Civic Government (Scotland) Act 1982,

there was submitted a report (issued) of March 2011 by the Executive Director – Corporate Services

- (a) seeking approval to set the metered fares for taxis and private hire vehicles; and
- (b) advising that the appropriate advertisement had been placed in the local press inviting representations on the proposals, however, no representations had been received.

Decided:

- (i) to approve the metered fares for taxi and private hire vehicles, with effect from 15th April 2011, as follows:-

<u>Unit</u>	<u>Charge</u>
If the distance does not exceed $\frac{3}{4}$ of a mile for the whole distance	£2.80
Each additional mile	£1.90
Night-time charge per hire (midnight to 6 a.m.)	£1.00
Waiting time (for each 15 minutes or part of)	£3.50
Fouling charge	£50.00
Christmas and New Year (from 9.00 p.m. on 24th December to 6.00 a.m. on 27th December and from 9.00 p.m. on 31st December to 6.00 a.m. on 3rd January)	Twice metered fare
6/7/8 seater vehicles - where 6, 7 or 8 passengers are carried	One and one half metered fare (except for the period at Christmas and New Year when one and one half of enhanced metered fare would apply); and

- (ii) that the fares for the shared hire of metered vehicles and all other charges in connection with the shared hire of metered vehicles, or with the arrangements for their shared hire, should not be greater than those above.

The meeting ended at 2.45 p.m.