

**REGULATORY PANEL.**

Minutes of meeting in County Buildings, Wellington Square, Ayr,  
on 7th June 2012 at 10.00 a.m.

Present: Councillors Peter Convery (Chair), Andy Campbell, Ian Douglas, Ann Galbraith, Hugh Hunter, Nan McFarlane and Rita Miller.

Apology: Councillor Sandra Goldie.

**For Items 1 and 2:**

Attending: C. Cox, Planning Manager; W. Carlaw, Legal and Democratic Manager; M. McClelland, Development Management and Business Change Team Leader; C. Parish, Priority Projects Team Leader; E. Kelty, Engineering Officer; and A. Gibson, Committee Services Officer.

**For Items 3 to 8:**

Attending: M. Douglas, Solicitor (Licensing); D. Scobie, Licensing Monitoring Officer; R. Howe, Transport Services Manager; D. Woodward, Chargehand, Fleet Management; and A. Gerrish, Committee Services Officer.

Also Attending: Inspector W. Ramsay, and Sergeant U. Menzies; Strathclyde Police.

**1. Orders Under the Road Traffic Regulation Act 1984.**

There were submitted reports (issued) of May 2012 by the Executive Director - Development and Environment seeking approval to make the following Orders under the Road Traffic Regulation Act 1984:-

- (1) South Ayrshire Council (Town of Ayr) (Waiting Restrictions) (Civil Enforcement) Order 2012;
- (2) South Ayrshire Council (Ayr Town Centre) (Parking Places) (Civil Enforcement) Order 2012;
- (3) South Ayrshire Council (Ayr Town Centre) (Residents Parking) (Civil Enforcement) Order 2012;
- (4) South Ayrshire Council (Town of Ayr) (Residents-Only Parking Streets) (Civil Enforcement) Order 2012;

- (5) South Ayrshire Council (Town of Prestwick) (Waiting Restrictions) (Civil Enforcement) Order 2012;
- (6) South Ayrshire Council (Town of Troon) (Waiting Restrictions) (Civil Enforcement) Order 2012;
- (7) South Ayrshire Council (Various Streets, Girvan) (Waiting and Loading Restrictions) (Civil Enforcement) Order 2012;
- (8) South Ayrshire Council (Various Streets, Maybole) (Waiting Restrictions) (Civil Enforcement) Order 2012;
- (9) South Ayrshire Council (Various Streets, Tarbolton) (Waiting Restrictions) (Civil Enforcement) Order 2012;
- (10) South Ayrshire Council (Various Streets, Dunure) (Waiting Restrictions) (Civil Enforcement) Order 2012;
- (11) South Ayrshire Council (Various Streets, Monkton) (Waiting Restrictions) (Civil Enforcement) Order 2012;
- (12) South Ayrshire Council (Various Streets, Dundonald) (Waiting Restrictions) (Civil Enforcement) Order 2012;
- (13) South Ayrshire Council (Crossburn Drive, Loans) (Waiting Restrictions) (Civil Enforcement) Order 2012;
- (14) South Ayrshire Council (Town of Ayr) (Speed Limit Orders) (Consolidation) Order 2012; and
- (15) South Ayrshire Council (Town of Prestwick) (Speed Limit Orders) (Consolidation) Order 2012.

Following questions from various Members with regard to

- (a) the Civil Enforcement Orders relating to disabled parking, residents parking permits and information being provided to the public pertaining to the forthcoming changes; and
- (b) the enforcement of the Speed Limit Orders especially around schools,

the Planning Manager and the Engineering Officer responded accordingly.

**Decided:** to approve the making of the above-named Orders.

## 2. Applications for Planning Permission.

There were submitted reports (issued) of May 2012 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) **12/00225/APP – GIRVAN – Chilton Bros, 19 Ladywell Avenue** – Reprofilling of site levels to form log storage area platforms, formation of hardstanding, associated landscaping and erection of fencing.

**Decided:** to agree that delegated authority be given to the Executive Director - Development and Environment for the application to be approved subject to the conditions listed below and to condition(s) specifically to address SEPA's concern regarding surface water run-off:-

- (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 recommendations at paragraph 6 of the Ecological Assessment shall be fully implemented as follows:-
  - (i) if any works are considered that will have an impact on the existing pond, a survey for amphibians shall be undertaken. The survey shall be undertaken within the breeding season starting February/March through to June/July. The first principle shall be to retain the pond and its environs without negative impact;
  - (ii) consider wildlife linkages when detailing the planting design for the northern wildlife corridor. This may simply involve the use of herbs and grasses suitable for damp conditions;
  - (iii) although the trees/shrubs within the survey area are highly unlikely to hold any opportunities for bats, nevertheless, in the interests of best practice it is appropriate to follow a suitable methodology during any site clearance, which would include checking any trees prior to impact;
  - (iv) undertake bird nest checks from March to September if site clearance is not complete during the winter months. If any bird building a nest, or an active nest is found, these must be avoided to an appropriate distance until the nest is no longer in use. It is preferable to undertake site clearance during the winter months; and

- (v) all planting, and grass seeding should use only native plant species, selected for their suitability to site conditions, and the local environment.

Before any work commences on site the outcome of surveys and precise details and specifications of how these recommendations are to be implemented, including timescales, shall be submitted for the prior written approval of the planning authority;

- (d) that before any works start on site a scheme of landscaping, indicating the siting, numbers, species and heights (at time of planting) of all trees, shrubs and hedges to be planted, and the extent and profile of any areas of earthmounding, shall be submitted for the prior written approval of the Planning Authority. The scheme as approved shall be implemented within the first planting season following the completion or occupation of the development, whichever is the sooner. The landscaped area shall be retained to this approved standard. For the avoidance of doubt the required landscaping scheme shall be based on approved drawing 8280:90:810 REV. E and incorporate native tree species planting;
- (e) that the presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, a comprehensive contaminated land investigation shall be carried out if requested by the Planning Authority; and
- (f) 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 is to 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) in order to reduce local impacts on natural heritage and retain biodiversity;
- (d) in the interests of visual amenity and to ensure a satisfactory standard of local environmental quality;
- (e) to ensure all contamination within the site is dealt with; and
- (f) in the interest of road safety and avoid the discharge of water on to the public road.

**Advisory Notes:**

With regard to Regulatory requirements, SEPA has advised that the fill operation may require registration of a paragraph 19 exemption under the Waste Management Licensing (Scotland) Regulations 2011. The applicant should discuss this issue with SEPA's local operation team based in the Ayr office. Details of regulatory requirements and good practice advice for the applicant can be found on SEPA's website at [www.sepa.org.uk/planning.aspx](http://www.sepa.org.uk/planning.aspx).

**List of Determined Plans:**

Drawing - Reference No (or Description): 8280:90:810 REV. E Proposed Site Layout;  
 Drawing - Reference No (or Description): 8280:90:811 REV. A Sections;  
 Drawing - Reference No (or Description): 8280:90:812 Topographical Survey;  
 Drawing - Reference No (or Description): 8280:90:813 Location Plan;  
 Other - Reference No (or Description): DEVELOPMENT APPRAISAL;  
 Other - Reference No (or Description): ECOLOGICAL ASSESSMENT;  
 Other - Reference No (or Description): SUPPORTING STATEMENT; and  
 Other - Reference No (or Description): GEOTECHNICAL TEST RESULTS

**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.

- (2) **12/00249/APP – AYR – Golden Disc, Low Green, Esplanade** – Part change of use of recreational land to form outdoor seating area.

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

- (a) that the application is contrary to the South Ayrshire Local Plan Policy STRAT5, TOUR3, ENV5 and BE3 in that the change of use represents a private commercial development to the detriment of the wider public amenity of the area of public open space which is also proposed to form an extension to Ayr I Conservation Area; and
- (b) that the development is contrary to Scottish Planning Policy (SPP) and Planning Advice Note 65 in that the development will represent the loss of public open space to a commercial development which will have a detrimental impact on the environmental quality and amenity of the Low Green as a public open space.

**List of Determined Plans:**

Drawing - Reference No (or Description): LOCATION PLAN; and  
 Drawing – Proposed seating.

**(3) 12/00284/APP – AYR – 13 Whitfield Drive – Erection of storage warehouse.**

**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 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;
- (d) surface water from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems (SUDS) Manual published by CIRIA in March 2007. Full details of the methods to be employed, following discussions with SEPA, and including where appropriate calculations, along with details of how these measures will be maintained in perpetuity, shall be submitted for approval in writing by this Planning Authority prior to the commencement of any works on site;
- (e) that, prior to the commencement of works on site, details shall be submitted of the proposed screen planting along the southern and south-western boundaries, for the written approval of the Planning Authority. The information shall include details of the siting, numbers, species and heights (at time of planting) of all trees, shrubs and hedges to be planted, and the extent and profile of any areas of earthmounding. The scheme as approved shall be implemented within 6 months/ first planting season following the completion or occupation of the development, whichever is the sooner;
- (f) that 24 off-road parking spaces shall be provided within the existing site boundary in accordance with the Council's Roads Development Guide as shown on the submitted plan, prior to occupation of the development;
- (g) that parking bays shall be a minimum 4.8 metres x 2.5 metres with minimum aisle widths of 6 metres;

- (h) 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 is to be achieved shall be submitted for the prior written approval of the Planning Authority before any work commences on site; and
- (i) that before any works start on site, details shall be submitted to the Planning Authority showing the design and specification of a turning area capable of accommodating service vehicles. The turning area shall be constructed as approved prior to the development being occupied.

**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) in the interests of visual amenity;
- (d) to ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained;
- (e) in the interests of visual amenity and to ensure a satisfactory standard of local environmental quality;
- (f) in the interest of road safety and to ensure adequate off-street parking provision;
- (g) in the interest of road safety and to ensure that there is adequate space for manoeuvring and turning;
- (h) in the interest of road safety and avoid the discharge of water on to the public road; and
- (i) to enable service vehicles to enter and leave the site in forward gear and in the interests of road safety.

**Advisory Notes:**

- The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com);

- Please note that work should be undertaken in compliance with legislation and guidance relating to Scottish Environment Protection Agency (SEPA) Guidance Note No.8 which can be found at the website of SEPA as follows: [www.sepa.org.uk](http://www.sepa.org.uk); and

- During construction phase all necessary cranes and associated equipment would have to be approved in advance by the Glasgow Prestwick Airport. The developer should refer to the Crane Operating Approval Procedure at Glasgow Prestwick Airport, a copy of which can be obtained from Glasgow Prestwick Airport 01292 511120.

**List of Determined Plans:**

Drawing - Reference No (or Description): 11/219/01;  
 Drawing - Reference No (or Description): 11/219/03;  
 Drawing - Reference No (or Description): 11/219/04A; and  
 Drawing - Reference No (or Description): 11/219/05.

**Reason for Decision:**

The proposal hereby approved is considered to be an appropriate departure from the provisions of the development plan by reason of it being an acceptable site, which is not visually prominent and is well located adjacent to the existing industrial estate at Whitfield Drive, Ayr, and there being no significant adverse impact on the amenity of neighbouring land and buildings.

- (4) **12/00384 /APP – DUNDONALD – Dundonald Castle, Winehouse Yett** – Installation of perspex screens to window openings.

**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, non-ferrous fixings shall be used, stonework is not to be drilled or fixed to and where fixings are required near stonework they are to be made at the mortar joint only, and not direct to the stone, to the satisfaction 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) in the interest of visual amenity and to protect the setting of the listed buildings.

**List of Determined Plans:**

Drawing - Reference No (or Description): 90112-110616-004;  
 Drawing - Reference No (or Description): 90112-110616-003B;  
 Drawing - Reference No (or Description): 90112-110616-001B; and  
 Drawing - Reference No (or Description): 90112-110616-005.

**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.

- (5) **12/00057/APP – GIRVAN – Knockormal Farm, Lendalfoot** – Erection of two wind turbines.

By a majority, the Panel agreed that a site visit was not required prior to decision being made on this application.

**Decided:** to refuse the application on the following conditions:-

- (a) that the proposed development to erect two turbines is contrary to policy STRAT1 of the Ayrshire Joint Structure Plan by reason of it not respecting the landscape character of the area, not safeguarding important cultural heritage resources and it resulting in visual damage or intrusion due to its size and position;
- (b) that the proposed development to erect two turbines is contrary to policy ECON6 of the Ayrshire Joint Structure Plan by reason of it having a significant adverse impact on landscape character and cultural heritage resources due to its size and position;
- (c) that the proposed development to erect two turbines is contrary to policy ENV6 of the Ayrshire Joint Structure Plan by reason of it having an adverse effect on the Carleton Castle, a category B listed building, due to its size and position;
- (d) that the proposed development is contrary to policy BE2 of the South Ayrshire Local Plan by reason of it being an inappropriate development that affects the setting of a listed building due to its size and position;
- (e) that the proposed development to erect two turbines is contrary to policy BE6 of the South Ayrshire Local Plan by reason of it not protecting the setting of scheduled ancient monuments due to its size and position;

- (f) that the proposed development is contrary to policy ECON7 of the Ayrshire Joint Structure Plan by reason of there being unacceptable impacts on the historic environment, tourism and recreational interests and landscape character, due to its size and position;
- (g) that the proposed development to erect two turbines is contrary to policy ECON14 of the Ayrshire Joint Structure Plan by reason of the proposal not comprising small scale development that supports the wider principles of rural diversification;
- (h) that the proposed development to erect two turbines is contrary to policy ENV1 of the Ayrshire Joint Structure Plan by reason of it not maintaining or enhancing the quality of the landscape and its local characteristics due to its size and position;
- (i) that the proposed development to erect two turbines is contrary to policy ENV2 of the Ayrshire Joint Structure Plan by reason of it not protecting the landscape, due to its size and position;
- (j) that the proposed development is contrary to policy ENV8 of the South Ayrshire Local Plan by reason of it not having an acceptable impact on the landscape due to its size and position;
- (k) that the proposed development to erect two turbines is contrary to policy STRAT5 of the South Ayrshire Local Plan by reason of it not being appropriate in terms of scale in relation to its surroundings, its inappropriate siting and setting, and its visual intrusiveness, all due to its size and position;
- (l) that the proposed development is contrary to policy SERV3 of the South Ayrshire Local Plan by reason of it not being acceptable in terms of environmental and community impacts due to its size and position; and
- (m) that the proposed development to erect two turbines is contrary to Scottish Planning Policy by reason of it not being appropriate in terms of landscape and visual impact, its unacceptable effect on the historic environment, the unacceptable effect on local tourism and recreational interests, and the unacceptable cumulative landscape impact, all due to its size and position.

**List of Determined Plans:**

Drawing - Reference No: Location Plan;  
 Drawing - Reference No: Proposed Site Plan; and  
 Drawing - Reference No: Turbine Elevations.

- (6) **11/00058/APP – GIRVAN – Knockormal Farm, Lendalfoot –** Erection of two wind turbines.

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

- (a) that the proposed development to erect two turbines is contrary to policy STRAT1 of the Ayrshire Joint Structure Plan by reason of it not respecting the landscape character of the area, not safeguarding important cultural heritage resources and it resulting in visual damage or intrusion due to its size and position;
- (b) that the proposed development to erect two turbines is contrary to policy ECON6 of the Ayrshire Joint Structure Plan by reason of it having a significant adverse impact on landscape character and cultural heritage resources due to its size and position;
- (c) that the proposed development to erect two turbines is contrary to policy ENV6 of the Ayrshire Joint Structure Plan by reason of it having an adverse effect on the Carleton Castle, a category B listed building, due to its size and position;
- (d) that the proposed development is contrary to policy BE2 of the South Ayrshire Local Plan by reason of it being an inappropriate development that affects the setting of a listed building due to its size and position;
- (e) that the proposed development to erect two turbines is contrary to policy BE6 of the South Ayrshire Local Plan by reason of it not protecting the setting of scheduled ancient monuments due to its size and position;
- (f) that the proposed development is contrary to policy ECON7 of the Ayrshire Joint Structure Plan by reason of there being unacceptable impacts on the historic environment, tourism and recreational interests and landscape character, due to its size and position;
- (g) that the proposed development to erect two turbines is contrary to policy ECON14 of the Ayrshire Joint Structure Plan by reason of the proposal not comprising small scale development that supports the wider principles of rural diversification;
- (h) that the proposed development to erect two turbines is contrary to policy ENV1 of the Ayrshire Joint Structure Plan by reason of it not maintaining or enhancing the quality of the landscape and its local characteristics due to its size and position.
- (i) that the proposed development to erect two turbines is contrary to policy ENV2 of the Ayrshire Joint Structure Plan by reason of it not protecting the landscape, due to its size and position;
- (j) that the proposed development is contrary to policy ENV8 of the South Ayrshire Local Plan by reason of it not having an acceptable impact on the landscape due to its size and position;

- (k) that the proposed development to erect two turbines is contrary to policy STRAT5 of the South Ayrshire Local Plan by reason of it not being appropriate in terms of scale in relation to its surroundings, its inappropriate siting and setting, and its visual intrusiveness, all due to its size and position;
- (l) that the proposed development is contrary to policy SERV3 of the South Ayrshire Local Plan by reason of it not being acceptable in terms of environmental and community impacts due to its size and position; and
- (m) that the proposed development to erect two turbines is contrary to Scottish Planning Policy by reason of it not being appropriate in terms of landscape and visual impact, its unacceptable effect on the historic environment, the unacceptable effect on local tourism and recreational interests, and the unacceptable cumulative landscape impact, all due to its size and position.

**List of Determined Plans:**

Drawing - Reference No: Location Plan;  
 Drawing - Reference No: Proposed Site Plan; and  
 Drawing - Reference No: Turbine Elevations.

**At this point, the time being 12.05 p.m., it was noted that the Panel would resume at 2.00 p.m. to consider the Licensing Applications.**

**3 Resumption of Meeting.**

The meeting resumed at 2.00 p.m.

**4. 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.

**5. Update from Licensing Monitoring Officer.**

The Licensing Monitoring Officer advised

- (1) that following the April meeting of this Panel she had continued to carry out inspections of taxis and Private Hire Vehicles, including some joint inspections with technical assistance from colleagues in Fleet Management which involved carrying out routine checks on taxi and Private Hire Vehicles in Troon and Prestwick Airport including tyres, lights, etc. which could be carried out on the rank but was not a full mechanical inspection;

- (2) that the following problems had recently been highlighted –
- Tyres at illegal limit – cords showing;
  - Lights not working;
  - Fire Extinguishers requiring replacement;
  - Vehicles being generally below standard internally and requiring valeting;
  - Fare card not being on display; and
  - Unauthorised advertising;
- (3) that the defects noted were a breach of the Taxi Vehicle Licence and several defects would most certainly mean that the vehicle would fail a Taxi Test and that all vehicles that had been re-inspected now comply; and
- (4) that she had emphasised
- (a) condition 2 of the licence to all operators, namely “the holder of a taxi licence shall ensure that the taxi, including all bodywork, upholstery and fittings, is in a safe and serviceable condition and, subject to prevailing road conditions, is in a clean condition” and had outlined that this condition applied at all times and not merely the day the vehicle was presented for a test; and
- (b) that Operators must advise licensing if their vehicle have been involved in an accident so that it could be retested, again failure to do so was a breach of their licence.

**Decided:** to thank the Licensing Monitoring Officer for her update.

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

(a) **Taxi Drivers.**

- (i) The Panel heard an observation from Strathclyde Police and considered the application from Matthew Dunnachie.

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

- (ii) The Panel heard from the applicant, Stuart McClurkin, in relation to his application.

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

- (iii) The Panel heard from the applicant, Ian McNeillie in relation to his application.

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

- (iv) The Panel heard from a representative for the applicant, Robert Irwin, in relation to his application.

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

- (v) The Panel heard an observation from Strathclyde Police and considered the application from William Christie.

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

- (vi) The Panel considered the proposed recall of the suspension of the licence previously held by Barry Dalton.

**Decided:** having heard that the applicant had now completed and passed the appropriate training course, to recall the suspension of the licence previously held by Barry Dalton.

**(b) Taxi Vehicle.**

The Panel considered the proposed suspension of the licence currently held by Neil Falconer and after hearing the Licensing Monitoring Officer, the Fleet Manager and the applicant's representative in explanation, the Panel adjourned for consideration thereof.

**Decided:** that, as the Licenceholder had presented his vehicle in an unfit condition for a number of tests over a period of years, to suspend the licence currently held by Neil Falconer for 28 days as there had been a breach of a condition of the licence.

**At this point Councillor Hugh Hunter left the meeting.**

**(c) Late Hours Catering.**

**(i) Baljinder Singh for Kebab King, 56 Alloway Street, Ayr.**

**Decided:** to approve this application for three years, the approved hours being every Sunday to Thursday inclusive from 11.00 p.m. to 2.00 a.m. and every Friday and Saturday from 11.00 p.m. to 3.30 a.m., subject to standard conditions as previously agreed.

**(ii) Amjad Chadhar for Lazat, 109 Main Street, Prestwick.**

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

**(iii) C.J. Lang & Son Ltd. for Spar Shop, 11 Boswell Park, Ayr.**

The Panel heard an observation from Strathclyde Police in relation to this application and the applicant's representative in response.

**Decided:**

- (A)** 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; and
- (B)** to note the observations made by Strathclyde Police regarding the outcome of a review which had been undertaken by them in relation to the issuing of fixed penalty tickets in the vicinity of Boswell Park, Arthur Street and Carrick Street and agreed that initial discussions would be undertaken between them and this Council.

**7. Exclusion of press and public.**

The Panel resolved, in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, that the press and public be excluded from the following item of business on the agenda, on the grounds that it involved the likely disclosure of exempt information in terms of paragraph 6 of Part 1 of Schedule 7A of the Act.

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

The Panel heard an objection from Strathclyde Police in relation to the application from John Boyd then were read correspondence which was provided by the applicant and thereafter and adjourned for consideration of this application.

**Decided:** upon reconvening, 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.

The meeting ended at 3.35 p.m.