

**REGULATORY PANEL.**

Minutes of meeting in County Buildings, Wellington Square, Ayr, on  
10th June 2010 at 10.00 a.m.

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

Also Present: Councillor Hugh Hunter (in attendance for item 1(1) only) and Provost Winifred Sloan in attendance for item 1(2) only).

Attending: **For items 1 and 2:**

C. Cox, Planning Manager; W. Carlaw, Principal Solicitor; M. McClelland, Development Management and Business Change Team Leader; C. Parish, Priority Projects Team Leader; I. Simpson, Supervisory Planner; and A. Gibson, Committee Administrative Officer.

**For items 3 to 10:**

C. Neillie, Solicitor; B. Lawrie, Senior Environmental Health Officer; R. Howe, Fleet Manager; R. Hannah, Fleet Inspector; M. Douglas, Licensing Policy Officer; D. Scobie, Licensing Monitoring Officer; and J. McClure, Committee Administrative Officer.

In Attendance: Chief Inspector J. Dillon and Inspector A. Kelly, Strathclyde Police.

**1. Applications for Planning Permission.**

There were submitted reports (issued) of May 2010 by the Depute Chief Executive and Executive Director - Development and Environment on current applications for determination.

The Panel decided as follows:-

- (1) 10/00453/APP – PRESTWICK – Proposed Housing Development - Shawfarm Road –**  
Erection of residential development.

The Panel heard Councillor Hugh Hunter, Local Member (in attendance for this item only).

Councillor Fitzsimmons, seconded by Councillor Oates, moved that the Depute Chief Executive and Executive Director - Development and Environment be given delegated powers to approve the application, subject to a legal agreement for both the provision of affordable housing and providing for occupancy restrictions, together with the lodging of a financial contribution in lieu of play facilities and provision of a landscape bond; and 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 plans 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, details of the location, height and materials of all new boundary fences, gates or other means of enclosure shall be submitted to the Planning Authority for written approval;
- (d) 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;
- (e) that before any works start on site, detailed landscape plans at a recognised metric scale shall be submitted for the prior written approval of the Planning Authority. Plans shall be accompanied by a planting schedule which details the genus, species and variety or cultivar of all plants, bulbs, seeds and turf. The size and specification of all plant material shall be detailed, together with total plant numbers and densities per m<sup>2</sup>. The location of all plant material shall be clearly identified on the landscape drawing. Ground preparation methods, topsoil quality and depth, planting methods, hole sizes and other materials such as mulches and stakes shall also be specified. Construction details for paved or other hard surfaces shall be provided together with details of any fences for inclusion as part of the landscape scheme. 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 open space/landscaped area shall be retained as open space and to this approved standard;
- (f) that before any works start on site, details of the future management and aftercare of the proposed landscaping and planting shall be submitted for approval in writing by this Planning Authority. Thereafter the management and aftercare of the landscaping and planting shall be carried out in accordance with these approved details;
- (g) that the internal noise level (L<sub>aeq</sub> TdB) within the proposed properties shall not exceed 45dB(A) daytime 07.00 hours to 23.00 hours and 35dB(A) night time 23.00 hours to 07.00 hours. In order to achieve this, the measured background L<sub>aeq</sub> daytime shall not exceed 57dB(A) and 48dB(A) night time on any part of the site marked for dwellings. (Internal measurements assessed with windows sufficiently open to provide ventilation). Results of a day time / night time assessment together with any noise mitigation measures shall be submitted for the formal prior written approval of the Planning Authority before any work commences on site. For the avoidance of doubt all noise measurements shall be carried out by a suitably qualified acoustic consultant or other competent person;
- (h) that the proposed access shall be constructed in accordance with the specifications in the Council's Roads Development Guide, and be a minimum of 5 metres wide over its initial 10 metres, as measured from the rear of the public footway before occupation of the development;

- (i) that junction access visibility sightline splays of 4.5 metres by 35 metres shall be maintained in both directions at the junction with the public road. There shall be no obstacle greater than 1.05 metre in height within the visibility sightline splays;
- (j) that a lockable and covered cycle stand accommodating a minimum of 12 cycles shall be provided within the site boundaries. Precise details of the siting and specifications of the required cycle stand shall be submitted for the formal prior written approval of the Planning Authority before any work commences on site;
- (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 is to be achieved shall be submitted for the prior written approval of the Planning Authority before any work commences on site;
- (l) that 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; and
- (m) that full details and specifications of all proposed bin stores 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 the interests of visual and residential amenity;
- (d) in the interests of visual amenity;
- (e) in the interests of visual amenity and to ensure a satisfactory standard of local environmental quality;
- (f) in the interests of visual amenity; to ensure that adequate measures are put in place to protect the landscaping and planting in the long term;
- (g) to avoid noise disturbance in the interests of residential amenity;
- (h) in the interest of road safety and to ensure an acceptable standard of construction;
- (i) in the interest of road safety and to ensure acceptable visibility at road junctions.
- (j) to ensure adequate provision of lockable and covered cycle storage on site, to encourage sustainable means of travel;
- (k) in the interest of road safety and avoid the discharge of water on to the public road;
- (l) to ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained; and
- (m) in the interests of residential and visual amenity and to minimise the attractiveness of the waste bins to wildlife.

By way of an Amendment, Councillor Douglas, seconded by Councillor Allan, moved that the Application be refused on the grounds that the proposal is contrary to Policies STRAT5 and H7 of the South Ayrshire Local Plan.

On a vote being taken by a show of hands, four Members voted for the Amendment and four for the Motion. The Chair exercised his casting vote in favour of the Motion.

**Decided:** that the Depute Chief Executive and Executive Director - Development and Environment be given delegated powers to approve the application, subject to the signing of a legal agreement for affordable housing and occupancy restriction, the lodging of a financial contribution in lieu of play facilities and landscape bond and the conditions as detailed at (a) to (m) above.

**Notes:**

- (i) 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;
- (ii) the Council as Roads Authority advises that access to the site shall be by way of dropped kerbs, in accordance with the Council's Roads Development Guide before completion of the development;
- (iii) the Council as Roads Authority advises that the applicant/developer will be responsible for the reinstatement of the public footway/carriageway along the entire frontage of the site in compliance with the Council's Roads Development Guide;
- (iv) the applicant is advised that the granting of planning permission does not remove him/her from the requirement to obtain the consent of adjacent landowners in respect of any access required to build, or maintain, this approved development. Such consent should be obtained prior to the commencement of works on site; and
- (v) 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.

**List of determined plans:**

Drawing - Reference No (or Description): Submitted 2846/P/100;  
 Drawing - Reference No (or Description): Submitted 2846/P/101;  
 Drawing - Reference No (or Description): Submitted 2846/P/200;  
 Drawing - Reference No (or Description): Submitted 2846/P/201;  
 Drawing - Reference No (or Description): Submitted 2846/P/300;  
 Drawing - Reference No (or Description): Submitted 2846/P/301;  
 Drawing - Reference No (or Description): Submitted 2846/P/400;  
 Drawing - Reference No (or Description): Submitted 2846/P/401;  
 Drawing - Reference No (or Description): Submitted 2846/P/500; and  
 Drawing - Reference No (or Description): Submitted 2846/P/501.

**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) **10/00371/APP –AYR – 49 Maybole Road** – Erection of 4 units for class 1 and 2 development with associated car parking and servicing.

The Panel heard Provost Winfred Sloan, Local Member (in attendance for this item only).

Councillor Fitzsimmons, seconded by Councillor Goldie, moved that the application be approved 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 plans 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) 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;
- (e) that off-street parking provision shall be provided within the site in accordance with the submitted and approved layout plan; and
- (f) 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) in the interest of road safety and avoid the discharge of water on to the public road;
- (e) in the interest of road safety and to ensure adequate off-street parking provision. To reduce the potential for congestion and obstruction caused by off-site car parking; and
- (f) to enable service vehicles to enter and leave the site in forward gear and in the interests of road safety.

By way of an Amendment, Councillor Grant, seconded by Councillor Galbraith, moved that the application be refused on the grounds that the proposal is contrary to Policies OFF1 and H7 of the South Ayrshire Local Plan.

On a vote being taken by a show of hands, four Members voted for the Amendment and four for the Motion. The Chair exercised his casting vote in favour of the Motion.

**Decided:** to approve the application subject to the conditions as detailed at (a) to (f) above.

**List of determined plans:**

Drawing - Reference No (or Description): Submitted S1597/PL/02-01 Rev A;

Drawing - Reference No (or Description): Submitted S1597/PL/03-01 Rev A;

Drawing - Reference No (or Description): Submitted S1597/PL/03-02 Rev A;

Drawing - Reference No (or Description): Submitted S1597/PL/03-03;

Drawing - Reference No (or Description): Submitted S1597/PL/06-01;

Drawing - Reference No (or Description): Submitted S1597/PL/03-04; and

Drawing - Reference No (or Description): Submitted S1597/PL/03-05.

**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.

- (3) **10/00409/APP – AYR - 65 Auchendoon Crescent** – Alterations and extension to dwellinghouse.

**Decided:** to note that the application had been withdrawn by the applicant.

**Adjournment.**

The time being 11.50 a.m., it was agreed that the meeting be adjourned.

**Resumption of meeting.**

The meeting resumed at 12 noon.

- (4) **10/00416/APP – AYR – Heathfield Primary School, Heathfield Road** – Alterations and extension to school.

**Decided:** to agree that the application be approved 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 plans 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 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; and
- (d) that notwithstanding the plans hereby approved, all proposed materials to be used on external surfaces shall match the existing building 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 21 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 the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained; and
- (d) to ensure that materials are appropriate for the site and in the interests of visual amenity.

List of determined plans:

Drawing - Reference No (or Description): Submitted 2473 AL(0) 101;  
 Drawing - Reference No (or Description): Submitted 2473 AL(0) 100A;  
 Drawing - Reference No (or Description): Submitted 2473 AL(0) 010;  
 Drawing - Reference No (or Description): Submitted 2473 AL(0) 011;  
 Drawing - Reference No (or Description): Submitted 2473 AL(0) 012;  
 Drawing - Reference No (or Description): Submitted 2473 AL(0) 102A;  
 Drawing - Reference No (or Description): Submitted 2473 AL(0) 103 B;  
 Drawing - Reference No (or Description): Submitted 2473 AL(0) 106B;  
 Drawing - Reference No (or Description): Submitted 2473 AL(0) 107;  
 Drawing - Reference No (or Description): Submitted 2473 AL(2) 110; and  
 Drawing - Reference No (or Description): Submitted 2473 AL(2) 111.

Reason for decision:-

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

- (5) **10/00532/APP – MAYBOLE – Cleansing Depot, Seaton Street** – Alterations to existing recycling facility entrance and formation of new external hard-standing.

Decided: to agree that the application be approved 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 plans 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 operation of this facility shall not result in an increase of more than 5dB(A) between the existing background noise level (LA90 (1 hour)) and the rating level (LAR<sub>Tr</sub>) where Tr = 1 hour daytime and 5 minutes night time (Measured as per BS 4142;1997). For the avoidance of doubt BS4142;1997 defines the rating level (LAR<sub>Tr</sub>) as being the specific noise level LA<sub>eq, Tr</sub> plus any adjustments for the characteristic features of the sound as detailed in Section 8.2 of the British Standard. An assessment of the existing background noise level carried out by a suitably qualified acoustic consultant or other competent person shall be submitted for the formal prior written approval of the Planning Authority before any work commences on site;
- (d) that the hours of operation shall be restricted from 10.00 a.m. to 6.00 p.m. Monday to Friday and from 10.00 a.m. to 4.00 p.m. on Saturday and Sunday unless otherwise agreed in writing by the Planning Authority; and
- (e) that junction access visibility sightline splays of 2.5 metres by 35 metres shall be maintained in both directions at the junction with the public road. There shall be no obstacle greater than 1.05 metre in height within the visibility sightline splays.

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 prevent noise nuisance;
- (d) in the interests of residential amenity; and
- (e) in the interest of road safety and to ensure acceptable visibility at road junctions.

List of determined plans:

Drawing - Reference No (or Description): Submitted 10-001;  
 Drawing - Reference No (or Description): Submitted 10-002; and  
 Drawing - Reference No (or Description): Submitted 10-003.

**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) 10/00388/APP – PRESTWICK – 29 Lichtenfels Gardens** – Alterations and extension to sheltered housing unit to form residents' lounge, wardens' office and ancillary accommodation.

**Decided:** to agree that the application be approved 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 notwithstanding the plans hereby approved, all proposed materials to be used on external surfaces shall match the existing building 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 21 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) to ensure that materials are appropriate for the site and in the interests of visual amenity.

List of determined plans:

Drawing - Reference No (or Description): Submitted 09-39-01;  
 Drawing - Reference No (or Description): Submitted 09-39-02;  
 Drawing - Reference No (or Description): Submitted 09-39-03;  
 Drawing - Reference No (or Description): Submitted 09-39-04; and  
 Drawing - Reference No (or Description): Submitted 09-39-05.

Reason for decision:-

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

**2. Proposed Discharge of Section 75 Legal Agreement relating to Outline Planning Permission for the Erection of Dwellinghouse at Ayr Road, Tarbolton. (Planning Reference 03/01386/OUT).**

There was submitted a report (issued) of 26th May 2010 by the Depute Chief Executive and Executive Director - Development and Environment outlining a request by Crestlake Limited to discharge the Section 75 Legal Agreement which restricted the occupancy of the dwellinghouse to be erected within these subjects to a person who was the operator of, or a person employed full time in connection with the vehicle repair workshop business operated within the Ayr Road Garage, Tarbolton and the family of that person living with him or her or a widow or widower of that person, with family.

**Decided:** to authorise the Head of Legal and Administration to discharge the Section 75 Legal Agreement, on the basis of the particular circumstances of this case as detailed in the report.

**At this point, the time being 12.25 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 by Licensing Monitoring Officer.**

There was submitted a report (tabled) by the Licensing Monitoring Officer advising

- (1) that, since the beginning of 2010, she had been involved in various areas of work;
- (2) that, together with an officer from Strathclyde Police, she had visited those premises in South Ayrshire to which the new legislation might apply whereby any premises selling non-domestic knives required to be licensed from 1st June 2010;
- (3) that, due to the recent increase in the value of gold, South Ayrshire, in line with the rest of the country, had seen a sharp increase in businesses offering to buy old and unwanted gold from consumers and she had visited all premises offering to buy gold and all of these premises had now been granted a Metal Dealers Licence;
- (4) that she continued to inspect taxis, private hire vehicles and their drivers ensuring that licensing conditions were being adhered to and had recently undertaken joint inspections with Strathclyde Police where inspections had shown that some operators/owners of taxis and private hire vehicles were still not clear on which type of fire extinguisher they were required to carry in their vehicle, therefore, advice and further action had been taken where appropriate;
- (5) that she was concerned to note that a relatively high number of taxi and private hire vehicles continued to fail the annual inspection carried out by Kerr & Smith and she would continue to monitor the situation and take appropriate action if necessary;
- (6) that all taxi booking offices who applied had now been granted a licence by this Panel and she was arranging to visit each booking office to learn how their booking systems operated;
- (7) that under the Civic Government (Scotland) Act 1982, she continued to monitor other licensing areas such as Second Hand Dealers, Second Hand Car Dealers, Late Hours Catering Premises and Street Traders; and
- (8) that she would continue to investigate complaints from members of the public as and when they arose.

**Decided:** to note the update report from the Licensing Monitoring Officer.

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

(a) **Taxi Drivers.**

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

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

- (ii) The Panel heard an observation from Strathclyde Police in relation to the application from George Allan.

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

- (iii) The Panel heard an observation from Strathclyde Police in relation to the application from Sean Docherty.

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

- (iv) The Panel heard an observation from Strathclyde Police and the applicant, Derek A. Beattie, in response.

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

- (v) The Panel considered the proposed suspension of two licences.

**Decided:**

- (A) to agree to suspend the licence held by Michael O'Ware for its unexpired portions as he had failed to undertake training as per the licence issued to him; and
- (B) that, as Gordon McPheator had now completed an appropriate training course, to take no further action at present.

(b) **Taxi Vehicle.**

The Panel considered the application from Graham Campbell.

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

**(c) Late Hours Catering.****Chu Sang Wong for Starry Sky, 155 Ayr Road, Prestwick.**

**Decided:** to approve this application for three years, the approved hours being every Monday to Wednesday inclusive from 11.00 p.m. to midnight and every Thursday to Sunday inclusive from 11.00 p.m. to 1.30 a.m., subject to standard conditions as previously agreed.

**(d) Public Entertainment Licence.****Robert Alexander Roberts for Circus at Low Green, Ayr.**

The Panel considered an objection in relation to this application, heard the Panel's legal adviser outline that it was understood that the applicant's lease with the Council for utilising the Low Green precluded non-domestic animals and then heard the applicant's representative in relation to this application.

**Decided:** to approve this application subject to the Circus being to the satisfaction of South Ayrshire Council's Veterinary Surgeon and subject to standard conditions as previously agreed.

**(e) Houses in Multiple Occupation.****Gary Mason for premises at 9 Charlotte Street, Ayr.**

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

**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 meeting during discussion of item 8(a) to (c) of these minutes, 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 Drivers.**

- (a) Having heard the Solicitor advise that a submission had been received from Strathclyde Police outwith the agreed timescale and having heard Chief Inspector Dillon in relation to this, the Panel agreed to consider the objection from Strathclyde Police received out of time.

The Panel then heard the objection from Strathclyde Police and the applicant, Joseph Houston, 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.

- (b) The Panel heard an observation from Strathclyde Police and the applicant, Jamie Smith, in response.

Councillor Oattes, seconded by Councillor Galbraith, moved that this application be approved for one year.

By way of Amendment, Councillor Fitzsimmons, seconded by Councillor Grant, moved that that this application be refused 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.

On a vote being taken by a show of hands, two members voted for the Amendment and six members for the Motion which was accordingly declared carried.

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

- (c) The Panel heard an observation from Strathclyde Police in relation to the application from Allan McQueen.

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

## 9. **Licensing of Taxi and Private Hire Vehicles.**

There was submitted a report (issued) of 7th May 2010 by the Executive Director of Corporate Services advising that, following the meeting of the Taxi and Private Hire Operators Forum of 25th January 2010, four requests had been received in writing from members of the Forum for the consideration of the Regulatory Panel, in the first instance, to amend the Standards for Taxis and Private Hire Vehicles.

A question was raised by a member of the Panel in relation to the standard of taxi and private hire vehicles in South Ayrshire compared to other local authorities and the Fleet Manager responded accordingly.

**Decided:** to maintain the existing standards.

## 10. **Valedictory.**

The Chair, on behalf of the Panel, congratulated Inspector Kelly on his recent promotion, thanked him for all his good work and wished him well in his new position and Inspector Kelly thanked the Chair for his kind words.

The meeting ended at 2.50 p.m.