

REGULATORY PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 11th February 2010 at 10.00 a.m.

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

Apology: Councillor Andy Campbell.

Also

Present: Councillors Hugh Hunter and Helen Moonie (in attendance for item 2 only).

Attending: For Items 1 to 2:

V. Andrews, Head of Legal and Administration; M. Newall, Head of Planning and Enterprise; C. Cox, Planning Manager; M. McClelland, Development Management and Business Change Team Leader; W. Carlaw, Principal Solicitor; B. Wyllie, Supervisory Engineer (Traffic); E. Kelty, Engineering/Technical Officer (Traffic and Transportation); and A. Gibson, Committee Administrative Officer.

Attending: For items 3 and 4:

C. Neillie, Solicitor; M. Douglas, Licensing Policy Officer; D. Scobie, Licensing Monitoring Officer; and J. McClure, Committee Administrative Officer.

1. Applications for Planning Permission.

There were submitted reports (issued) of January 2010 by the Depute Chief Executive and Executive Director - Development and Environment and letters of objection or support, as appropriate, on current applications for determination.

The Panel decided as follows:-

Declaration of Interest.

Councillor Douglas declared an interest in the following application as he currently held a Class A Transmitting Licence and was a member of the Radio Society of Great Britain and withdrew from the meeting during consideration thereof:-

(1) 09/01212/APP – TROON – 1B Craig Road – Installation of Radio Mast and Aerials.

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

- (a) 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
- (b) that any redundant or obsolete equipment shall be removed from the site within one month of becoming redundant or obsolete, to the satisfaction of the Planning Authority.

Reasons:

- (a) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed; and
- (b) in the interest of residential amenity.

List of Determined Plans:

Drawing - Reference No (or Description): Submitted Location Plan;
 Drawing - Reference No (or Description): Submitted Existing Rear Elevation; and
 Drawing - Reference No (or Description): Submitted Existing Side Elevation.

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) 09/00967/APP – AYR – Creggan-Bahn Court – Erection of garages and storage buildings.

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, notwithstanding the terms of condition 2 above, a sample of the proposed roof cladding shall be submitted to and approved in writing by the Council as Planning Authority prior to the commencement of works 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; and
- (c) in the interests of visual amenity.

List of Determined Plans:

Drawing - Reference No (or Description): Submitted 09.338:PO1;
 Drawing - Reference No (or Description): Submitted 09.297:PO2; and
 Drawing - Reference No (or Description): Submitted 09.338:PO3 A

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. South Ayrshire Council (Prestwick Parking Review) (Loading and Waiting Restrictions and Amendment) Order 2010.

There were submitted a report (issued) of 3rd February 2010 by the Depute Chief Executive and Executive Director - Development and Environment seeking approval to make an Order under the Road Traffic Regulation Act 1984, namely the "South Ayrshire Council (Prestwick Parking Review) (Loading and Waiting Restrictions and Amendment) Order 2010.

Following questions from various Members of this Panel relating to the proposals, various Officers responded accordingly.

The Panel further heard from Councillors Hunter and Moonie, local Members (in attendance for this item only).

Decided: to approve the making of the above-named Order subject to:-

- (1) the removal of the proposals to introduce a "3 hour limited waiting period" on Midton Road and Grangemuir Road between Midton Road and Southpark Road; and
- (2) the removal of the proposals to introduce "No waiting at any time" restrictions on Templerigg Street at its junction with Templerigg Court and the cul-de-sac to numbers 17,19 and 21 Templerigg Street.

At this point, the time being 11.35 a.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. At this point Councillor Grant had left the meeting.

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

(a) **Taxi Drivers.**

Declaration of Interest.

Councillor Allan declared an interest in the following application as the applicant was known to him and left the meeting during consideration of this application.

- (i) The Panel heard the applicant, John Grigor, in relation to his application.

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

- (ii) The Panel heard the applicant, Bryan Price, in relation to his application.

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

(b) **Taxi Vehicle.**

The Panel considered the application from Robert Dorans.

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

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

- (i) The Panel considered the application from Darren Davidson.

Decided: to continue consideration of this application to the next meeting of this Panel scheduled to be held on Thursday, 11th March 2010 to allow the applicant to attend.

- (ii) The Panel considered the application from Stephen McMillan.

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

(d) Street Traders.**(i) John Bunten for Sale of Hot and Cold Foods and Drinks at Heathfield Retail Park, Ayr.**

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

(ii) Jennifer Waddell for Sale of Hot and Cold Foods at Heathfield Retail Park, Ayr.

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

(e) Late Hours Catering.**(i) Malik Mohammed Ilyas for 62 Main Street, Ayr, KA8 8EF.**

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

(ii) Manrup Kaur Uppal for The Taj Indian Restaurant, 141/143 Main Street, Prestwick.

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

Decided: to approve this application for the selling of refreshments and meals for consumption off the premises for three years, the approved hours being every Wednesday to Saturday inclusive from 11.00 p.m. to 2.30 a.m., subject to the restaurant part of the premises being blocked off from the takeaway section at the cessation of the liquor licence operating hours each evening and subject to standard conditions as previously agreed.

(f) Houses in Multiple Occupation.**(i) SLC Turnberry and Stefan Geyser for premises at Leafield, 42 The Avenue, Girvan.**

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

(ii) SLC Turnberry and Stefan Geyser for premises at SLC Turnberry, A Luxury Collection Resort, Maidens Road, Turnberry, Girvan (Burns House).

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

- (iii) **The Church of Scotland General Trustees and Mrs. Pat Johnson for premises at Mathieson House, 5/7 Broomfield Road, Ayr.**

Decided: to note that this application had now been granted under delegated powers.

The meeting ended at 2.20 p.m.