

REGULATORY PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 21st April 2011 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.

For Items 1 to 5:

Attending: C. Cox, Planning Manager; W. Carlaw, Acting Legal Manager; A. Browne, Senior Planning Development Case Officer; I. Simpson, Senior Planning Development Case Officer; E. Kelty, Engineering/Technical Officer (Operations); J. Webb, Technician – Traffic; and J. McClure, Committee Administrative Officer.

For Items 6 to 12:

Attending: C. Neillie, Solicitor; R. Cairns, Team Leader – Building Standards; M. Douglas, Licensing Policy Officer; D. Scobie, Licensing Monitoring Officer; and J. McClure, Committee Administrative Officer.

Also Attending: Sergeant U. Menzies, Strathclyde Police.

In Attendance: B. Ferries, Ayr Racecourse; and L. Grant and G. Steel, Ayr United Football Club.

1. 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.

2. Consolidation of Traffic Regulation Orders for Decriminalised Parking Enforcement (D.P.E.)

There was submitted a report (issued) of 4th April 2011 by the Executive Director - Development and Environment seeking approval to make a series of Traffic Regulation Orders under the Road Traffic Regulation Act 1984, effectively consolidating all the existing Traffic Regulation Orders made by both this authority and previous authorities to provide accurate, robust and up to date Orders for the purposes of Decriminalised Parking Enforcement.

Decided: to approve the making of the following Orders:-

- (1) South Ayrshire Council (Town of Ayr)(Traffic Regulation Orders) (Consolidation) Order 2011;
- (2) South Ayrshire Council (Ayr Town Centre)(Parking Places) (Consolidation) Order 2011;
- (3) South Ayrshire Council (Ayr Town Centre)(Residents Parking) (Consolidation) Order 2011;
- (4) South Ayrshire Council (Town of Ayr)(Residents–Only Parking Streets) (Consolidation) Order 2011;
- (5) South Ayrshire Council (Various Streets, Dunure)(Waiting Restrictions) (Consolidation) Order 2011;
- (6) South Ayrshire Council (Various Streets, Girvan)(Traffic Regulation Orders) (Consolidation) Order 2011;
- (7) South Ayrshire Council (Crossburn Drive, Loans)(Waiting Restrictions) Order 2011;
- (8) South Ayrshire Council (Various Streets, Maybole)(Waiting Restrictions) (Consolidation) Order 2011;
- (9) South Ayrshire Council (Various Streets, Monkton)(Waiting Restrictions) (Consolidation) Order 2011;
- (10) South Ayrshire Council (Town of Prestwick)(Traffic Regulation Orders) (Consolidation) Order 2011;
- (11) South Ayrshire Council (Various Streets, Tarbolton)(Traffic Regulation Orders) (Consolidation) Order 2011; and
- (12) South Ayrshire Council (Town of Troon)(Traffic Regulation Orders) (Consolidation) Order 2011.

3. Proposed One-Way Traffic Order, Station Road, Mossblown.

There was submitted a report (issued) of 28th March 2011 by the Executive Director - Development and Environment seeking approval to make an Order under the Road Traffic Regulation Act 1984, namely, "South Ayrshire Council (Station Road, Mossblown) (One Way Street and Waiting Restrictions) Order 2011".

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

4. **Continued Planning Application – Erection of a Hot Food Catering Unit at the Putting Green, Bath Place, Ayr (Ref: 09/00795/FUL).**

There was submitted a report (issued) of April 2011 by the Executive Director - Development and Environment regarding a planning application that had been previously continued in respect of the erection of a hot food catering unit at the Putting Green, Bath Place, Ayr.

Decided: by a majority, to approve the application subject to the following conditions:-

- (1) that the development hereby permitted shall be begun within three years of the date of this permission;
- (2) 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;
- (3) that there shall be no form of amplified sound or noise systems in the proposed hot food catering unit;
- (4) that the ventilation system in the hot food unit shall be provided with suitable means of filtration e.g., grease and charcoal filters, or alternatively the operation of the premises shall be limited to enclosed unit cooking. Precise details of the design and specifications of the ventilation arrangements shall be submitted for the formal prior written approval of the Planning Authority before the use commences on site;
- (5) that the hot food unit shall be operated solely in conjunction with the putting greens at the locality;
- (6) that the hot food unit shall not be open outwith the operating hours of the adjoining putting green/crazy golf facility;
- (7) that the permission hereby approved enures solely for the benefit of the operator of the adjoining putting green/crazy golf facility; and
- (8) that the approval for the proposed hot food catering unit shall be limited to the period until 15th December 2021 at which date the hot food catering unit shall be permanently removed and the site shall 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. The restoration specification shall be submitted no later than two months from the date of the cessation of the use.

Reasons:-

- (1) 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;
- (2) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (3) in order to prevent noise nuisance;
- (4) in order to prevent the occurrence of a smell nuisance and in the interests of visual amenity and to retain proper control over the development proposal;
- (5) in order to ensure that the development is associated with an amenity or recreational open space as required by Policy ENV5 in the South Ayrshire Local Plan;
- (6) in order to ensure that the development is associated with an amenity or recreational open space as required by Policy ENV5 in the South Ayrshire Local Plan;
- (7) in order to ensure that the development is associated with an amenity or recreational open space as required by Policy ENV5 in the South Ayrshire Local Plan; and
- (8) in order to ensure that the development is associated with an amenity or recreational open space as required by Policy ENV5 in the South Ayrshire Local Plan and to retain proper control over the development proposal.

List of Determined Plans:

Drawing - Reference No (or Description): 07.121.201

Drawing - Reference No (or Description): 07.121.LP

5. Applications for Planning Permission.

There were submitted reports (issued) of April 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) **11/00225/APPM – AYR – Plot 9, The Citadel, Esplanade** – Erection of mixed use development comprising office block and residential flatted development.

The Panel heard Councillor Robin Reid, Local Member in relation to this application.

Decided: by a majority, to refuse the application on the following grounds:-

- (a) that the proposal is contrary to policy H7 of the South Ayrshire Local Plan by reason of detrimental impact on residential amenity arising from the proposed commercial business uses;
- (b) that the proposal is contrary to policy OPP1 of the South Ayrshire Local Plan by reason of the residential and commercial business uses not meeting with the expressed preference for leisure use on site;
- (c) that the proposal is contrary to policy RET5 of the South Ayrshire Local Plan by reason of adverse impact on the vitality and viability of Ayr Town Centre;

- (d) that the proposal is contrary to policy BE6 of the South Ayrshire Local Plan by reason of it having an unacceptable adverse impact on the setting of a scheduled ancient monument; and
- (e) that the proposal is contrary to policy ENV9 of the South Ayrshire Local Plan by reason of the commercial business nature of the proposed use not being compatible with tourism or leisure preferences for the area as expressed in the Coastal Strategy of the South Ayrshire Local Plan.

List of Determined Plans:

Drawing - Reference No (or Description): 1180 01 REV. B
 Drawing - Reference No (or Description): G21659 01 REV.
 Drawing - Reference No (or Description): GB 6308/P/01
 Drawing - Reference No (or Description): GB 6308/P/02B
 Drawing - Reference No (or Description): GB 6308/P/04B
 Drawing - Reference No (or Description): GB 6308/P/06A
 Drawing - Reference No (or Description): GB 6308/P/07
 Drawing - Reference No (or Description): GB 6308/P/08
 Drawing - Reference No (or Description): GB 6308/P/100
 Drawing - Reference No (or Description): GB 6308/P/102
 Drawing - Reference No (or Description): GB 6308/P/103
 Drawing - Reference No (or Description): GB 6308/P/104
 Drawing - Reference No (or Description): GB 6308/P/105
 Drawing - Reference No (or Description): GB 6308/P/106
 Drawing - Reference No (or Description): GB 6308/P/107
 Drawing - Reference No (or Description): GB 6308/P/200
 Drawing - Reference No (or Description): GB 6308/P/201
 Drawing - Reference No (or Description): GB 6308/P/202
 Drawing - Reference No (or Description): GB 6308/P/203
 Drawing - Reference No (or Description): GB 6308/P/204
 Drawing - Reference No (or Description): GB 6308/P/205
 Drawing - Reference No (or Description): GB 6308/P/206
 Drawing - Reference No (or Description): LOCATION PLAN

Adjournment

The Panel adjourned at 11.20 a.m. for ten minutes.

Resumption of Meeting.

The time being 11.30 a.m., the meeting resumed.

- (2) **11/00134/APP – MAYBOLE – Land at Drumellan Street** – Change of use of vacant land for the erection of a clubhouse, associated store and fence.

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

- (a) that the approval for the clubhouse and storage shed shall be limited to three years from the date of this permission, at which date the clubhouse and storage shed shall be removed from the site;
- (b) that details shall be submitted to the Planning Authority showing the design and specification of a turning area capable of accommodating the largest size of vehicle expected to be used by or serve the development;
- (c) that the existing off-road parking provision within the curtilage of the development shall be retained; and
- (d) that a gas membrane shall be installed to the floor of the clubhouse building to the satisfaction of the Planning Authority.

Reasons:

- (a) the use of the land is of a temporary nature and is only acceptable as a temporary expedient;
- (b) to reasonably avert the reversing of vehicles onto the main road and in the interests of road safety;
- (c) in the interest of road safety and to ensure adequate off-street parking provision; and
- (d) to ensure the proposed remediation plan is suitable.

List of Determined Plans:

Drawing - Reference No (or Description): 1018:02

Drawing - Reference No (or Description): 1018:03

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) **11/00258/APP – DUNDONALD – 35 Main Street** – Change of use of public house to form a hot-food takeaway and a retail unit.

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

- (a) that the proposal is contrary to South Ayrshire Local Plan Policy BE3 by reason that the alterations proposed to the front elevation of the building resulting in the alterations to a central doorway and including increased height of display windows and the modern shopfronts shall have a significant adverse impact on the character and appearance of Dundonald Conservation Area; and
- (b) that the proposal is contrary to Scottish Planning Policy by reason that the alterations proposed to the front elevation of the building shall have a significant adverse impact on the character and appearance of Dundonald Conservation Area.

List of Determined Plans:

Drawing - Reference No (or Description): 10/332 01
 Drawing - Reference No (or Description): 10/332 02
 Drawing - Reference No (or Description): 10/332 03
 Drawing - Reference No (or Description): 10/332 04
 Drawing - Reference No (or Description): 10/332 05
 Drawing - Reference No (or Description): 10/332 06

- (4) **11/00072/APP – AYR – 2 Seafield Road** – Alterations and extensions to existing nursing home.

Decided: to agree to continue consideration of this application to a future Regulatory Panel (Special) to allow a site visit to be conducted.

Declaration of Interest.

Councillor Oattes declared an interest in the following application as he was a community member of the Board of Ailsa Horizons Ltd. and withdrew from the meeting during consideration thereof.

- (5) **11/00280/APP – GIRVAN – Proposed Rail Facility, Ladywell Avenue** – Change of use of agricultural land to form rail freight terminal and formation of vehicular access, railway sidings, internal roads and area of storage of containers.

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 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 proposed discharge of surface water to the water environment shall be made in accordance with the principles of the SUDS Manual (C697) which was published by CIRIA in March 2007;
- (d) that the private access shall be surfaced for a minimum of 20 metres as measured from the rear of the public footway prior to completion of the development and precise details and specifications of the required surfacing shall be submitted for the prior written approval of the Planning Authority before any work commences on site;
- (e) that junction access visibility sightline splays of 4.5 metres by 210 metres shall be maintained in both directions at the junction with the public road and there shall be no obstacle greater than 1.05 metre in height within the visibility sightline splays;
- (f) that off street parking provision shall be provided within the site in accordance with the submitted and approved layout plan;
- (g) that the discharge of water onto the public road carriageway shall be prevented by drainage or other means and 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;
- (h) 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 the largest size of vehicle expected to be used by or serve the development and the turning area shall be constructed as approved prior to the development being occupied;
- (i) that prior to occupation of the development any gates shall open inwards away from the public roadway;
- (j) that before any work commences on site a suitably scaled block layout plan showing existing ground levels, proposed ground levels, any cut and fill and formation of embankments and any works required in association with this condition shall be contained within the site to which the planning permission relates; and
- (k) that no development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to, and approved by the Planning Authority, in agreement with the West of Scotland Archaeology Service and thereafter, the developer shall ensure that the programme of archaeological works shall be fully implemented and that all recording and recovery of archaeological resources within the development site shall be undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

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 comply with the terms of the Water Environment (Controlled Activities) (Scotland) Regulations 2005 (as amended), and in the interests of amenity;
- (d) in the interest of road safety and to ensure an acceptable standard of construction;
- (e) in the interest of road safety and to ensure acceptable visibility at road junctions;
- (f) in the interest of road safety and to ensure adequate off-street parking provision;
- (g) in the interest of road safety and avoid the discharge of water on to the public road;
- (h) to reasonably avert the reversing of vehicles onto the main road and in the interests of road safety;
- (i) in the interest of road safety;
- (j) in the interests of visual amenity and to define the terms of the permission; and
- (k) to establish whether there are any archaeological interests on this site and allow for archaeological excavation and recording.

List of Determined Plans:

Drawing - Reference No (or Description): LOCATION PLAN

Drawing - Reference No (or Description): PROPOSED BLOCK PLAN

Drawing - Reference No (or Description): LIGHTING MODEL

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) **10/01443/APP – AYR – Crofthead Caravan Park** – Change of use of agricultural land to form extension to caravan park including siting of thirty static caravans and associated services.

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 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 proposed caravans shall not be promoted, advertised, let or used for any purpose other than as holiday accommodation;
- (d) that the caravans shall be sited and occupied in accordance with any site licence and associated conditions;

- (e) 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 and full details of the methods to be employed, following discussions with SEPA, and including where appropriate calculations, along with details of how these measures shall be maintained in perpetuity, shall be submitted for approval in writing to this Planning Authority prior to the commencement of any works on site;
- (f) that all trees existing on the site at the date of this decision shall be retained and no trees shall have roots cut or be lopped, topped, felled, uprooted or removed;
- (g) that 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 and implemented within a timescale to be agreed in writing with the Planning Authority before occupation of any of the proposed caravans and for the avoidance of doubt, this shall include the planting of native tree species at intervals along the northern and southern boundaries of the application site; and
- (h) that off-street parking provision shall be provided within the site in accordance with the submitted and approved layout plan.

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) the site lies within a rural area where the Planning Authority considers that new residential development is appropriate when justified as contributing towards tourism growth within South Ayrshire;
- (d) in the interests of the proper planning of the area and visual amenity;
- (e) to ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained;
- (f) in the interests of visual amenity and to ensure that all trees worthy of retention are satisfactorily protected before and during works on site;
- (g) in the interests of visual amenity and to ensure a satisfactory standard of local environmental quality; and
- (h) in the interest of road safety and to ensure adequate off-street parking provision and to reduce the potential for congestion and obstruction caused by off site car parking.

Advisory Notes:

- (i) Please note that work shall be undertaken in compliance with legislation and guidance relating to the water environment, chemical and oil storage, pollution prevention (including construction, demolition and agricultural activities), storage and movement of waste materials and controlled waste and information and guidance, including best practice, can be found at the website of the Scottish Environment Protection Agency (SEPA) as follows www.sepa.org.uk; and
- (ii) The applicant shall be 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 shall 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 shall be required.

List of Determined Plans:

Drawing - Reference No (or Description): 10.462:EX01
 Drawing - Reference No (or Description): 10.462:L01
 Drawing - Reference No (or Description): 10.462:PR01
 Drawing - Reference No (or Description): 10.462:PR02

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.

- (7) **11/00194/APP – TROON – 3 Church Street** – Part change of use of public footpath to form outdoor seating area.

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 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 area in which tables, chairs and planters are to be placed shall be physically delineated by a removable barrier and details of the removable barrier shall be submitted for the approval of the Planning Authority within three months of the date of this consent and all tables, chairs and planters shall be removed from the pedestrian area when they are not in use;
- (d) that there shall be no permanent structure within the enclosed seating area and service shall be from within the building;

- (e) that the seating area shall be kept in a clean and tidy manner at all times, to the satisfaction of the Planning Authority;
- (f) that there shall be no form of amplified sound or noise systems in the outdoor seating area; and
- (g) that the use of the outdoor seating area shall be restricted to daylight hours only and no later than 10.00 p.m.

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 interest of road safety and to ensure that adequate provision is made for pedestrians;
- (d) in the interest of road safety;
- (e) in the interest of visual amenity;
- (f) in order to prevent noise nuisance; and
- (g) in order to prevent noise nuisance.

Advisory Notes:

- (1) The Council as Roads Authority advises that the rights of the utilities to enter the enclosed area in order to gain access to their services in accordance with their rights under law shall be maintained as the enclosed area shall remain part of the public footway.

List of Determined Plans:

Drawing - Reference No (or Description): ADL/1102/01
 Drawing - Reference No (or Description): ADL/1102/02 REV 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.

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.

6. Resumption of Meeting.

The meeting resumed at 2.00 p.m.

7. Annual Inspection of Regulated Stands at Ayr Racecourse.

There was submitted a report (issued) of 4th April 2011 by the Executive Director - Development and Environment advising of the outcome of the technical inspections of the Club and Eglinton Stands at Ayr Racecourse and reporting on issues arising since the last Annual Inspection.

The Panel heard a representative from St. Andrew's Ambulance Corps outline the assistance she had received from the officers at Ayr Racecourse and express her thanks for this; the Team Leader – Building Standards advise that Strathclyde Police, Strathclyde Fire and Rescue, Scottish Ambulance Service and the Council's Building Standards Service and Environmental Health Service had no adverse comments; and the representative for Ayr Racecourse in response.

Decided: to note the contents of the report and to agree that the Safety Certificates should remain in force.

8. Annual Inspection, Somerset Park, Ayr.

There was submitted a report (issued) of 4th April 2011 by the Executive Director - Development and Environment advising of the outcome of the technical inspections of Somerset Park, Ayr in respect of the Safety of Sports Grounds Act 1975 and reporting on issues arising since the last Annual Inspection.

The Panel heard

- (1) a representative from St. Andrew's Ambulance Corps outline the assistance she had received from the officers at Ayr United and express her thanks for this;
- (2) the Team Leader – Building Standards advise
 - (a) of the outstanding structural works, that the structural report had been received and that, following receipt of this, a maintenance programme was being compiled to be carried out by 14th July 2011,
 - (b) that some minor Environmental Health issues required to be rectified; and
 - (c) that no adverse comments had been received from Strathclyde Police, Strathclyde Fire and Rescue and Scottish Ambulance Service; and
- (3) the representative for Somerset Park advise that the existing floodlights would be removed by the end of May 2011; that the planning application for the new floodlights would be submitted shortly; and it was anticipated that the new floodlights would be erected by end July 2011 with these new floodlights being shorter in height and having less light overspill.

Decided:

- (1) to note the contents of the report;
- (2) to agree that the General Safety Certificate should remain in force on condition that any outstanding items, as detailed within the report, were satisfactorily concluded by 14th July 2011;
- (3) to agree to submit a report to the meeting of this Panel scheduled to be held on 18th August 2011 to update the Panel on the position regarding the floodlighting column replacement project; and
- (4) to agree that a site visit to Somerset Park should take place by members of the Panel following the summer recess period.

9. 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.

10. Civic Government (Scotland) Act 1982 - Licences.**(a) Taxi Drivers.**

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

Decided:

- (A) to approve this application for three years, subject to standard conditions as previously agreed; and
- (B) to grant the applicant exemption from pushing wheelchairs and lifting heavy objects like suitcases for the three year term of the licence.

- (ii) The Panel heard an observation from Strathclyde Police and the applicant, David Ganson, in response.

Councillor Fitzsimmons, seconded by Councillor Campbell, moved that the application be granted for one year.

By way of Amendment, Councillor Goldie, seconded by Councillor Douglas, moved that the application be granted for three years.

By way of a Counter-Amendment, Councillor Allan, seconded by Councillor Grant, moved that the application be granted for two years.

In accordance with the terms of the Council's Standing Orders, the Panel then firstly proceeded to vote on the terms of the Counter-Amendment by Councillor Allan and seconded by Councillor Grant and on the terms of the Amendment moved by Councillor Goldie and seconded by Councillor Douglas.

On a vote taken by a show of hands, three members voted for the Counter-Amendment and three members for the Amendment. The Chair then exercised his casting vote in favour of the Counter-Amendment.

The Counter-Amendment was accordingly declared to be carried and became the substantive Amendment.

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

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

- (iii) The Panel heard an observation from Strathclyde Police and the applicant, Peter McMillan, in response.

Councillor Douglas, seconded by Councillor Oattes, moved that this application be approved for three years.

By way of Amendment, Councillor Grant, seconded by Councillor Galbraith, moved that this application be approved for one year.

On a vote being taken by a show of hands, four members voted for the Amendment and four voted for the Motion. The Chair then exercised his casting vote in favour of the Amendment which was accordingly declared to be carried.

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

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

Decided: to continue consideration of this application to the next meeting of this Panel scheduled to be held on Thursday, 19th May 2011 to allow the applicant to attend.

- (v) The Panel heard the applicant, Scott Vance, in relation to his application.

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

(b) **Street Traders.**

Kevin Kane for Sale of Flowers, Etc. at Wallace Tower, Mill Street, Ayr.

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

(c) **Houses in Multiple Occupation.**

(i) **Paul Nicholson and Frank Nicholson for premises at 2A and 2B Burns Statue Square, Ayr.**

The Panel heard an observation from Strathclyde Police, the representative for the applicants in response and the Licensing Policy Officer advise that the premises had been inspected to the satisfaction of all Officers of the Council and other agencies and adjourned for consideration of this application.

Decided: upon reconvening, by a majority, to approve this application for three years, subject to standard conditions as previously agreed.

(ii) **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.

(iii) **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.

11. **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.

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

Taxi Driver.

The Panel heard Graeme Wark in relation his application.

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

The meeting ended at 2.50 p.m.