

**EAST AYRSHIRE COUNCIL**

**COMMUNITY SERVICES COMMITTEE**

**MINUTES OF MEETING HELD ON WEDNESDAY 4 APRIL 2001 AT 1000 HOURS  
IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,  
KILMARNOCK**

**PRESENT:** Councillors Robert Taylor, Ann Hay, Stephanie Young, Brian Reeves, Daniel Coffey, Lilian MacLean, John Weir, Drew McIntyre, Harry Wilson, Iain Linton, Jane Darnbrough, Finlay MacLean, Eric Jackson, Tommy Farrell, Julie Faulds, William Menzies, Elaine Dinwoodie and Jimmy Carmichael.

**ATTENDING:** William Stafford, Director of Community Services; John Griffiths, Head of Leisure Services; John F Crawford, Head of Protective Services; David Mitchell, Legal Manager; Julie Armstrong, Principal Administrative Officer; Caroline Gordon, Public Relations Assistant; and Ian Gemmell, Administrative Officer.

**APOLOGIES:** Councillors David Macrae and Eric Ross.

**CHAIR:** Councillor Robert Taylor, Chair.

**SUB-COMMITTEE MINUTES**

1. There were submitted and approved both as a correct record and in respect of the recommendations contained therein, the undernoted Sub-Committee Minutes (circulated):-
  - 1.1 **LICENSING SUB-COMMITTEE OF 21 MARCH 2001 (APPENDIX I).**

**MISUSE OF PARKS AND OPEN SPACES**

2. There was submitted and noted a report dated 8 March 2001 (circulated) by the Director of Community Services on the current legal position with regard to the misuse of parks and open spaces and which highlighted the ways and means available to combat this problem.

**DICK INSTITUTE CENTENARY**

3. There was submitted and noted a report dated 9 March 2001 (circulated) by the Director of Community Services on plans for a series of events to mark the centenary of the Dick Institute in Kilmarnock.

The Committee also noted that at Paragraph 3.1 of the report the Centenary Day launch and the family open day would be a combined event on 23 June 2001.

Councillors D Coffey and Weir joined the meeting during discussion of the above item.

**AVAILABILITY OF LAIRS IN EAST AYRSHIRE COUNCIL CEMETERIES**

4. There was submitted and noted a report dated 8 March 2001 (circulated) by the Director of Community Services on the availability of lairs in Council cemeteries and which established priorities for future developments.

**NEW VISITOR CENTRE, DEAN CASTLE COUNTRY PARK, KILMARNOCK**

5. There was submitted and noted a report dated 26 March 2001 (circulated) by the Director of Homes and Technical Services which provided the final measurement, the

reasons for a contractual overspend and the financial implications relating thereto, in respect of the above capital project.

**REINSTATEMENT OF FIRE DAMAGE AT ALTONHILL COMMUNITY CENTRE,  
KILMARNOCK, PHASE 2 - INTERNAL WORKS**

6. There was submitted a report dated 26 March 2001 (circulated) by the Director of Homes and Technical Services which advised of a contractual overspend on works associated with the above capital project.

It was agreed to approve the estimated additional expenditure in relation to the above contract, amounting to £62,080.81.

**TOWN CENTRE CCTV SYSTEMS 2001, PHASE 4 AND TOWN CENTRE CCTV  
SYSTEMS 2001, PHASE 5**

7. There was submitted a report dated 26 March 2001 (circulated) by the Director of Homes and Technical Services on the current position regarding contract procurement in respect of the above project and which sought approval of a negotiated extension to the contract which was currently in place.

It was agreed:-

- (i) to authorise an extension of the existing contract with DWS Limited to a maximum contract value of £165,626.01; and
- (ii) otherwise, to note the contents of the report.

**CLEANSING - VEHICLE TENDERS**

8. There was submitted a report dated 15 March 2001 (circulated) by the Director of Community Services on the award of tenders for the supply of vehicles for the Cleansing Service.

It was agreed:-

- (i) to approve the acceptance of the tenders as follows:-

| <u>VEHICLE TYPE</u>     | <u>NO</u> | <u>MOST ECONOMICALLY<br/>ADVANTAGEOUS TENDER</u> |
|-------------------------|-----------|--|
| 26 tonne R.C.V.         | 1 of      | £106,042 from P.D.E. Geesink Ltd                 |
| 17/18 tonne Skip Loader | 1 of      | £44,502 from Aitken Coachbuilders                |
| 3.5 tonne Pick-up       | 1 of      | £13,682 from Lex Commercials                     |

and;

- (ii) that the Director of Finance secure appropriate operating leases in respect of the vehicles to be acquired.

**STRATEGIC WASTE FUND: LOCAL AUTHORITY RECYCLING AND  
COMPOSTING PLANS**

9. There was submitted and noted a report dated 12 March 2001 (circulated) by the Director of Community Services which advised of a successful application for additional funding towards the cost of implementing recycling and composting facilities in East Ayrshire.

**SURPLUS PROPERTY - BOTHY, PIERSLAND PARK, KILMARNOCK**

10. There was submitted a report dated 7 March 2001 (circulated) by the Director of Community Services which invited the Committee to declare the Bothy at Piersland Park, Kilmarnock, as surplus to requirements.

It was agreed:-

- (i) to declare the Bothy at Piersland Park, Kilmarnock, as surplus to requirements;
- (ii) that the Director of Community Services advise the Director of Development Services in accordance with the agreed procedures; and
- (iii) otherwise, to note the contents of the report.

**SURPLUS PROPERTY - LOCAL OFFICE, DALMELLINGTON**

11. There was submitted a report dated 19 March 2001 (circulated) by the Director of Community Services which invited the Committee to declare the Local Office in New Street, Dalmellington, as surplus to requirements, following the opening of the new Area Centre for Dalmellington.

It was agreed:-

- (i) to declare the Local Office in New Street, Dalmellington, as surplus to requirements;
- (ii) that the Director of Community Services advise the Director of Development Services in accordance with the agreed procedures; and
- (iii) otherwise, to note the contents of the report.

**LOW FREQUENCY ELECTROMAGNETIC FIELDS AND THE RISK OF CANCER**

12. There was submitted a report dated 14 March 2001 (circulated) by the Director of Community Services on the publication of the report of an Advisory Group on Non-ionising Radiation, Low Frequency Electromagnetic Fields and the Risk of Cancer, a report which was published in March 2001, and in part related to the proximity of power lines and associated relative risks.

It was agreed:-

- (i) to support the Advisory Group's recommendation that further research be carried out on the risks associated with low frequency electromagnetic fields be carried out;
- (ii) to note that the Chair of this Committee would write to the authors of the above report making representations on the continued uncertainty of the outcome of research in this field, and would welcome other Members to write individually; and
- (iii) otherwise, to note the contents of the report.

The meeting terminated at 1038 hours.

**APPENDIX I**

**EAST AYRSHIRE COUNCIL**

**LICENSING SUB-COMMITTEE OF THE COMMUNITY SERVICES COMMITTEE**

**MINUTES OF MEETING HELD ON WEDNESDAY 21 MARCH 2001 AT 1000 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

**PRESENT:** Councillors Jimmy Carmichael (Chair), Ann Hay, Brian Reeves, Lilian MacLean, John Weir, David Macrae, Harry Wilson, Tommy Farrell and Julie Faulds.

**ATTENDING:** John F Crawford, Head of Protective Services; David Mitchell, Legal Manager; Alison Smith, Principal Officer, Licensing and Community Safety; Melanie Barbour, Solicitor; and Ian Gemmell, Administrative Officer.

**APOLOGIES:** Councillors William Menzies and Robert Taylor.

**CHAIR:** Councillor Jimmy Carmichael, Chair.

**HEARINGS: CONSIDERATION OF SUSPENSION OF TAXI DRIVERS' LICENCES**

1. There were submitted in respect of the undernoted Taxi Driver's Licences reports dated 2 March 2001 (all circulated) by the Director of Community Services which invited the Sub-Committee to consider by way of Hearings, the suspension of the Licences.

Having considered each case in turn, the Sub-Committee agreed as follows:-

**1.1 TAXI DRIVER'S LICENCE NO EA/TD 467: MARK WILSON, 2 HERDSTON PLACE, CUMNOCK**

No Hearing took place as the licensee was not present or represented.

It was agreed to suspend the licence in terms of Paragraph 11(2)(d) of Schedule 1 to the Civic Government (Scotland) Act 1982 and, in terms of Paragraph 11(10) of the said Schedule and Act that the period of suspension should be the unexpired portion of the duration of the licence.

**1.2 TAXI DRIVER'S LICENCE NO EA/TD 453: THOMAS MCCULLOCH, 62 TURNBERRY DRIVE, KILMARNOCK**

No Hearing took place as the licensee was not present or represented.

It was agreed to suspend the licence in terms of Paragraph 11(2)(d) of Schedule 1 to the Civic Government (Scotland) Act 1982 and, in terms of Paragraph 11(10) of the said Schedule and Act that the period of suspension should be the unexpired portion of the duration of the licence.

**1.3 TAXI DRIVER'S LICENCE NO EA/TD 120: JOHN GORDON 13 NITH PLACE, KILMARNOCK**

The Sub-Committee heard Alison Smith, representing the Community Services Department of East Ayrshire Council, in explanation of the complaint, and the licensee, who spoke to the matters raised, all in accordance with the agreed Hearing procedure.

Having noted the licensee's submission that he would be willing to attend a Disability Awareness Training session, the Sub-Committee agreed to continue the Hearing to their next meeting to allow the licensee a further opportunity to undertake the required training.

**1.4 TAXI DRIVER'S LICENCE NO EA/TD 428: ALEXANDER DUNCAN, 12 SOMMERVILLE STREET, CATRINE**

No Hearing took place as the licensee was not present or represented.

It was agreed to suspend the licence in terms of Paragraph 11(2)(d) of Schedule 1 to the Civic Government (Scotland) Act 1982 and, in terms of Paragraph 11(10) of the said Schedule and Act that the period of suspension should be the unexpired position of the duration of the licence.

**1.5 TAXI DRIVER'S LICENCE NO EA/TD 469: GORDON COPELAND, 23 GLEN AVENUE, LOGAN**

No Hearing took place as the licensee was not present or represented.

It was agreed to suspend the licence in terms of Paragraph 11(2)(d) of Schedule 1 to the Civic Government (Scotland) Act 1982 and, in terms of Paragraph 11(10) of the said Schedule and Act that the period of suspension should be the unexpired portion of the duration of the licence.

**1.6 TAXI DRIVER'S LICENCE NO EA/TD 423: JOHN CARRUTHERS, 1 KEIR HARDIE CRESCENT, GALSTON**

It was reported and noted that the licensee concerned had surrendered his licence.

**1.7 TAXI DRIVER'S LICENCE NO EA/TD 465: ROBERT DAVIDSON, 57 ANNANDALE CRESCENT, CROSSHOUSE**

No Hearing took place as the licensee was not present or represented.

It was agreed to suspend the licence in terms of Paragraph 11(2)(d) of Schedule 1 to the Civic Government (Scotland) Act 1982 and, in terms of Paragraph 11(10) of the said Schedule and Act that the period of suspension should be the unexpired portion of the duration of the licence.

**1.8 TAXI DRIVER'S LICENCE NO EA/TD 454: GRAHAM DAVIDSON, 12 RUSSELL COURT, KILMARNOCK**

The Sub-Committee heard Alison Smith, representing the Community Services Department, in explanation of the complaint, and the licensee, who spoke to the matter raised, all in accordance with the agreed Hearing procedure.

Having noted the licensee's submission that he would be willing to attend a Disability Awareness Training session, the Sub-Committee agreed to continue the Hearing to their next meeting to allow the licensee a further opportunity to undertake the required training.

**CONSIDERATION OF SUSPENSION OF TAXI DRIVERS' LICENCES**

2. There was submitted a report dated 2 March 2001 (circulated) by the Director of Community Services which invited the Sub-Committee to consider the suspension of the following Taxi Drivers' Licences:-

- (a) Taxi Driver's Licence No EA/TD 147 - Anne Doogan, 18 High Glencairn Street, Kilmarnock;
- (b) Taxi Driver's Licence No EA/TD 158 - William McGhee, 4 Western Road, Galston; and
- (c) Taxi Driver's Licence No EA/TD 488 - Keith McKenzie, 108 Bonnyton Road, Kilmarnock.

It was agreed to continue consideration of each of the above cases to a future meeting when Hearings would take place, at which the licensees and appropriate Parties would be invited to attend or be represented and speak to the matters raised.

### **EXCLUSION OF PRESS AND PUBLIC**

3. The Sub-Committee resolved that under Section 50A(4) of the Local Government (Scotland) Act 1973, as amended, the Press and public be excluded from the meeting for the following items of business, on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 3 of Schedule 7A to the Act.

### **CONSIDERATION OF APPLICATIONS**

#### **4.1 APPLICATION FOR GRANT OF A TAXI DRIVER'S LICENCE: QUINTEN MCDOWALL, 31 TINTO AVENUE, KILMARNOCK**

There was submitted a report dated 2 March 2001 (circulated) by the Director of Community Services on an application for the grant of a Taxi Driver's Licence.

There was also submitted a letter of representation dated 20 February 2001 from Strathclyde Police (circulated).

It was agreed to continue consideration of this matter to a future meeting which would take the form of a Hearing, at which the licensee and Strathclyde Police would be invited to attend or to be represented and to speak to the matters raised.

#### **4.2 APPLICATION FOR GRANT OF A TAXI DRIVER'S LICENCE: SCOTT WEBSTER, 41 GREENHILL TERRACE, KNOCKENTIBER**

There was submitted a report dated 2 March 2001 (circulated) by the Director of Community Services on an application for the grant of a Taxi Driver's Licence.

There was also submitted a letter of representation dated 22 February 2001 from Strathclyde Police, and a letter dated 13 March 2001 from the applicant in support of his application (both circulated).

It was agreed to grant the licence subject to the standard conditions.

#### **4.3 APPLICATION FOR GRANT OF A WINDOW CLEANER'S LICENCE: STEPHEN MILLIGAN, 35 ARRAN DRIVE, AUCHINLECK**

There was submitted a report dated 2 March 2001 (circulated) by the Director of Community Services on an application for the grant of a Window Cleaner's Licence.

There was also submitted a letter of representation dated 2 February 2001 from Strathclyde Police and a letter dated 13 February 2001 from the applicant in support of his application (both circulated).

It was agreed to grant the licence subject to the standard conditions.

**4.4 APPLICATION FOR GRANT OF A LATE HOURS CATERING LICENCE: KERIM EYGI, 47 BRODIE AVENUE, TROON**

There was submitted a report dated 2 March 2001 (circulated) by the Director of Community Services on an application for the grant of a Late Hours Catering Licence in respect of premises at 44 Henrietta Street, Galston.

There was also submitted a memorandum dated 10 January 2001 from the Department of Development Services, East Ayrshire Council relating to conditions attached to Planning Consent for change of use of the premises at 44 Henrietta Street, Galston to that of Hot Food Takeaway Shop, a letter of representation dated 15 January 2001 from Strathclyde Police and a letter dated 7 March 2001 from the applicant in support of his application (all circulated).

It was reported and noted that the hours of opening as applied for were as follows:- Thursdays, Fridays, Saturdays and Sundays - 11pm to 1am; and Mondays, Tuesdays, Wednesdays and Thursdays - 11pm to 12.30am.

It was agreed to continue consideration of this matter to a future meeting which would take the form of a Hearing, at which the licensee, Strathclyde Police and other appropriate parties would be invited to attend or to be represented and to speak to the matters raise.

The meeting terminated at 1100 hours.