

**EAST AYRSHIRE COUNCIL**

**EMERGENCY POWERS COMMITTEE**

**MINUTES OF MEETING HELD ON THURSDAY 25 MAY 2000 AT 1100 HOURS IN  
THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,  
KILMARNOCK**

**PRESENT:** Councillors Drew McIntyre, Daniel Coffey, Douglas Reid, Eric Jackson, Jimmy Kelly and Provost Jimmy Boyd.

**ATTENDING:** David Montgomery, Chief Executive; Kate McVey, Solicitor to the Council; Bill Walkinshaw, Principal Administrative Officer; and Ian Gemmell, Administrative Officer.

**APOLOGY:** Councillor Harry Wilson.

**CHAIR:** Councillor Drew McIntyre, Chair.

**EXCLUSION OF PRESS AND PUBLIC**

1. The Committee resolved that under Section 50A(4) of the Local Government (Scotland) Act 1973, as amended, the Press and public be excluded for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 12(a) of Schedule 7A of the Act.

**RECONSIDERATION OF PROCEDURALLY DEFECTIVE PLANNING DECISION**

2. There was submitted a report dated 23 May 2000 (circulated) by the Solicitor to the Council which sought a decision from the Committee to rescind a procedurally defective planning decision, and to refer the planning application of new to the Development Services Committee for determination.

It was agreed:-

- (i) that the procedural irregularities in reaching the decision in question were such as to void the decision taken;
- (ii) that the Development Services Committee determine the planning merits of the application of new; and
- (iii) that the applicant, statutory consultees and any objectors be advised of the arrangements for the consideration of the application.

The meeting terminated at 1105 hours.