

County Buildings  
Wellington Square  
AYR KA7 1DR  
Telephone No.01292 612169



17 August 2022

**To:- Councillors Bell (Chair), Cavana, Clark, Connolly, Dixon, Kilbride, Kilpatrick, Mackay and Townson.**

**All other Members for Information Only**

Dear Councillor

**REGULATORY PANEL (LICENSING)**

You are invited to participate in the above hybrid webcast Panel to be held on **Thursday 1 September 2022 at 10.00 a.m.** for the purpose of considering the undernoted business.

**Please note that a briefing meeting will take place for all Panel Members at 9.15 a.m., online and in the Prestwick Room.**

This meeting will be held on a hybrid basis, in County Hall and remotely and will be live-streamed and available to view at <https://south-ayrshire.public-i.tv/>

Yours sincerely

**CATRIONA CAVES**  
Head of Legal, HR and Regulatory Services

**B U S I N E S S**

1. Declarations of Interest.
2. Minutes of previous meeting of 16 June 2022 (copy herewith).
3. Civic Licensing Standards Officer Update.

**4. Civic Government (Scotland) Act 1982 - Applications for Licences - Consider applications for licences in respect of which adverse comments have been received in terms of the accompanying reports, namely:-**

- (a) Taxi Driver.**
- (b) Private Hire Driver.**
- (c) Taxi Vehicle.**
- (d) Private Hire Vehicle**
- (e) Public Entertainment**
- (f) Late Hours Catering**
- (g) Street Trader**
- (h) Taxi Driver Suspension**

**Submit reports by Head of Legal, HR and Regulatory Services (copies herewith - members only).**

For more information on any of the items on this agenda, please telephone Janice McClure, Committee Services, on 01292 612169, at Wellington Square, Ayr or e-mail: [committeeservices@south-ayrshire.gov.uk](mailto:committeeservices@south-ayrshire.gov.uk)  
[www.south-ayrshire.gov.uk](http://www.south-ayrshire.gov.uk)

### **Webcasting**

Please note: this meeting may be filmed for live and subsequent broadcast via the Council's internet site. At the start of the meeting, the Chair will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act 2018. Data collected during this webcast will be retained in accordance with the Council's published policy, including, but not limited to, for the purpose of keeping historical records and making those records available via the Council's internet site.

Generally, the press and public will not be filmed. However, by entering the Council Meeting, you are consenting to being filmed and consenting to the use and storage of those images and sound recordings and any information pertaining to you contained in them for webcasting or training purposes and for the purpose of keeping historical records and making those records available to the public. In making use of your information, the Council is processing data which is necessary for the performance of a task carried out in the public interest

If you have any queries regarding this and, in particular, if you believe that use and/or storage of any particular information would cause, or be likely to cause, substantial damage or distress to any individual, please contact [Committee.Services@south-ayrshire.gov.uk](mailto:Committee.Services@south-ayrshire.gov.uk)

### **Copyright**

All webcast footage is the copyright of South Ayrshire Council. You are therefore not permitted to download footage nor upload it to another website nor take still photographs from this footage and distribute it without the written permission of South Ayrshire Council. Please be aware that video sharing websites require you to have the permission of the copyright owner in order to upload videos to their site.

**REGULATORY PANEL**

Minutes of a hybrid webcast meeting of  
16 June 2022 at 10.00 a.m.

- Present: Councillors Kenny Bell (Chair), Ian Cavana, Alec Clark, Brian Connolly, Mark Dixon, Martin Kilbride, Mary Kilpatrick and Duncan Townson.
- Apology: Councillor Craig Mackay.
- Attending: K. Briggs, Service Lead – Legal and Licensing; D. Scobie, Civic Licensing Standards Officer; H. Talbot, Team Leader (Building Standards); G. Beattie, Fleet Inspector; J. McClure, Committee Services Lead Officer; A. Gibson, Committee Services Officer; and C. McCallum, Committee Services Assistant.
- In Attendance: M. Gajic, Safety Officer, Ayr Racecourse; and. R. Provan, Safety and Stadium Manager, Ayr United.

**Chair's Remarks**

The Chair confirmed to Members the procedures to conduct this meeting and advised that the meeting was being broadcast live.

**1. Sederunt and Declarations of Interest.**

The Service Lead – Legal and Licensing called the Sederunt for the meeting and having called the roll, confirmed that there were no declarations of interest by Members of the Panel in terms of Council Standing Order No. 17 and the Councillors' Code of Conduct.

**2. Appointment of Vice-Chair.**

The Chair invited nominations for the appointment of Vice-Chair of the Regulatory Panel and Local Review Body.

Councillor Kilpatrick, seconded by Councillor Connolly, moved that Councillor Kilbride be appointed Vice-Chair.

The Panel

**Decided:** to appoint Councillor Kilbride as Vice-Chair of Regulatory Panel and Local Review Body.

**3. Annual Inspection and Revised Safety Certificates for the Regulated Stands at Ayr Racecourse**

There was submitted a report (issued) of 9 June 2022 by the Director – Place advising of the outcome of the annual technical inspections at Ayr Racecourse; and seeking approval to extend the existing Safety Certificates for the two stands.

The Panel heard

- (1) the Team Leader (Building Standards) advise that a site visit had been undertaken on 28 April 2022 and that all assessments, surveys, certification and reports were now in place; and that Police Scotland, Scottish Fire and Rescue, Scottish Ambulance Service, St. Andrew's Ambulance Corps and the Council's Building Standards Service and Environmental Health Service had no adverse comments; and
- (2) the Safety Officer, Ayr Racecourse thank the Building Standards and Environmental Health Officers for their assistance with this matter.

Following a question from a Panel Member, the Safety Officer, Ayr Racecourse advised that discussions had taken place with Police Scotland and Ayrshire Roads Alliance regarding the exiting of crowds following race days and that a report would be compiled outlining options for this. Panel Members then requested that the Panel receive a copy of the report and requested a site visit to the Racecourse which the Safety Officer agreed to.

The Panel

**Decided:** to agree

- (a) that the current Safety Certificates should remain in force until 30 June 2022; and
- (b) that the revised Safety Certificates would come into force on 1 July 2022, for a period of one year.

#### **4. Annual Inspection and Revised Safety Certificate for Somerset Park, Ayr.**

There was submitted a report (issued) of 9 June 2022 by the Director – Place advising of the outcome of the annual technical inspections at Somerset Park, Ayr; and seeking approval to extend the existing Safety Certificates for the ground.

The Panel heard

- (1) the Team Leader (Building Standards) advise that a site visit had been undertaken on 28 April 2022 and that all assessments, surveys, certification and reports were now in place; that Police Scotland, Scottish Fire and Rescue, Scottish Ambulance Service, St. Andrew's Ambulance Corps and the Council's Building Standards Service and Environmental Health Service had no adverse comments; and that any remedial works would be carried out to the satisfaction of the Council by 14 July 2022, prior to the beginning of the new football season; and
- (2) the Safety and Stadium Manager thank the Building Standards Officer for their assistance and support during the Covid-19 restrictions.

Questions were raised by Panel Members on

- (a) the external stairs; and the Team Leader (Building Standards) advised that these stairs were used for evacuations only, were not structurally unstable, however, required some works so that a Completion Certificate could be accepted;
- (b) the timescale for the construction of the new stand; and the Safety and Stadium Manager advised that this would be approximately one year.

Having heard a Panel Member request a site visit to Somerset Park, the Safety and Stadium Manager agreed to this request.

The Panel

**Decided:** to agree

- (i) that the current Safety Certificates should remain in force until 30 June 2022; and
- (ii) that the revised Safety Certificates would come into force on 1 July 2022, for a period of one year.

## 5. **Civic Government (Scotland) Act 1982 - Licences**

### (a) **Taxi Vehicle Licence**

The Panel heard from the Civic Licensing Standards Officer, the Fleet Inspector and from the applicant in relation to the proposed suspension of the licences currently held by Daniel Christie (Registration No. SF64 HLY, Plate 36; Registration No. SF15 CZG, Plate 103; and Registration No. SF13 NDJ, Plate 136).

**Decided:** not to suspend the licences held by Mr Christie, however, to agree that Mr. Christie's three vehicles as outlined above should be tested every four months for a period of one year, the first test taking place immediately for vehicle plate numbers 36 and 103; and the first test for vehicle plate 136 to be within four months of 20<sup>th</sup> May 2022 (being the date of its last test).

### (b) **Private Hire Drivers**

The Panel considered the application from Nicholas Smith for exemption from displaying plates.

**Decided:** to continue consideration of this application to a future meeting of this Panel to allow Mr Smith to attend the meeting.

### (c) **Street Traders**

#### (i) **William Patrick for Sale of Snacks on Low Green for Orange Walk on 2 July 2022.**

The Panel heard from the Service Lead – Legal and Licensing and from the applicant, William Patrick and considered a letter of support.

**Decided:** to approve the application for 2 July 2022 from 6.00 a.m. to 5.00 p.m., subject to standard conditions as previously agreed.

(ii) **Jane Anne Patrick for Sale of Snacks on Low Green for Orange Walk on 2 July 2022.**

The Panel heard from the Service Lead – Legal and Licensing and from Mr William Patrick on behalf of the applicant, Jane Anne Patrick, and considered a letter of support.

**Decided:** to approve the application for 2 July 2022 from 6.00 a.m. to 5.00 p.m., subject to standard conditions as previously agreed.

(iii) **Gareth Paxton for Sale of Scarves, Hats, Badges, Flags, T-Shirts and Football Novelties on Low Green for Orange Walk on 2 July 2022.**

The Panel heard from the Service Lead – Legal and Licensing and from the applicant, Gareth Paxton.

Following a 15 minute adjournment, the Panel

**Decided:** to approve the application for 2 July 2022 from 9.00 a.m. to 4.00 p.m., subject to the applicant providing a letter of support from the Loyal Orange Institution of Scotland; and subject to standard conditions as previously agreed.

The meeting ended at 11.50 a.m.

**SOUTH AYRSHIRE COUNCIL**

**REGULATORY PANEL**

**1 SEPTEMBER 2022**

**TAXI DRIVER LICENCE**

1. COEN URQUHART
2. COLIN NIXON
3. SIMON O'LOUGHLIN
4. ANGUS BLACK
5. JAMIE McCLURE

**SOUTH AYRSHIRE COUNCIL**

**REGULATORY PANEL**

**1 SEPTEMBER 2022**

**PRIVATE HIRE DRIVER**

1. ROSS MARSHALL
2. PUSHPINDER SINGH
3. PHILIP HUTCHINSON

**SOUTH AYRSHIRE COUNCIL**

**REGULATORY PANEL**

**1 SEPTEMBER 2022**

**TAXI VEHICLE**

1. DANIEL CHARLES CHRISTIE

**SOUTH AYRSHIRE COUNCIL**

**REGULATORY PANEL**

**1 SEPTEMBER 2022**

**PRIVATE HIRE VEHICLE**

1. NICHOLAS SMITH
2. ZAMEN ALI MIRZAI

**SOUTH AYRSHIRE COUNCIL**

**REGULATORY PANEL**

**1 SEPTEMBER 2022**

**PUBLIC ENTERTAINMENT**

1. **GRAIN EXCHANGE – SOUTH AYRSHIRE COUNCIL AND JOAN ELLIOT**

**SOUTH AYRSHIRE COUNCIL**

**REGULATORY PANEL**

**1 SEPTEMBER 2022**

**LATE HOURS CATERING**

1. ALINA GABRIELA DRAGOMIR

**SOUTH AYRSHIRE COUNCIL**

**REGULATORY PANEL**

**1 SEPTEMBER 2022**

**STREET TRADER**

1. HEATHER KILCULLEN

**SOUTH AYRSHIRE COUNCIL**

**REGULATORY PANEL**

**1 SEPTEMBER 2022**

**TAXI DRIVERS – PROPOSED SUSPENSION**

1. IAN RICHARD PATTERSON
2. JOHN EASDALE