

**REGULATORY PANEL.**

Minutes of meeting in County Buildings, Wellington Square, Ayr, on  
4th December 2014 at 10.00 a.m.

Present: Councillors Peter Convery (Chair), Andy Campbell, Ian Cavana, Ann Galbraith, Sandra Goldie, William J. Grant and Hugh Hunter.

Apology: Councillor Ian Douglas.

Attending: K. Briggs, Legal and Licensing Manager; D. Scobie, Licensing Monitoring Officer; and J. McClure, Committee Services Officer.

Also Attending: J. Hodge, Policy Officer, Community Care and Housing; C. Smith, Building Standards Surveyor; G. Roche, Assistant Engineer (Structures and Systems); and F. Grant, Environmental Health Officer.

In Attendance: Inspector A. Kelly, Police Scotland.

**1. Declarations of Interest.**

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. Minutes of previous meetings.**

The minutes of 6th November 2014 (issued) ([link attached](#)) were submitted and approved.

**3. Update from Licensing Monitoring Officer.**

The Licensing Monitoring Officer advised

- (1) that, since the Taxi Forum meeting of 1st October 2014, the Sub-Group had now met and had a positive meeting; and
- (2) that the next Taxi Forum meeting would take place on Wednesday, 14th January 2015 when proposed changes to the specifications would be discussed.

**Decided:** to thank the Licensing Monitoring Officer for her update.

#### 4. **Information on Convictions.**

A discussion took place on the inability of Courts to supply information to Police Scotland on convictions which had occurred some time ago.

**Decided:** that the Chair, on behalf of the Panel, should write to the appropriate Court representative outlining the Panel's concerns that full details could not be supplied on the convictions of some applicants to enable the Panel to make decisions.

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

##### (a) **Taxi Drivers.**

- (i) The Panel heard an observation from Police Scotland and from the applicant, Gavin Wylie Stark, in response.

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

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

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

##### (b) **Late Hours Catering.**

###### **Le Mirage Limited and Sandra Horne for 35A Bridge Street, Girvan, KA26 9HH.**

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

##### (c) **Late Hours Catering – Application for Variation.**

###### **1b Arthur Street, Ayr.**

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

Councillor Hunter, seconded by Councillor Campbell, moved that the application be refused.

By way of Amendment, Councillor Convery, seconded by Councillor Galbraith, moved that the application be approved.

A Panel Member requested that the vote be taken by calling the roll in accordance with Standing Order No. 23.8.

The Legal and Licensing Manager then took the vote by calling the roll as follows:-

Peter Convery	Amendment
Andy Campbell	Motion
Ian Cavana	Amendment
Ann Galbraith	Amendment
Sandra Goldie	Amendment
William J. Grant	Amendment
Hugh Hunter	Motion

Five Members voted for the Amendment and two Members for the Motion. The Amendment was accordingly declared to be carried.

**Decided:** to approve this application for the period 3rd December 2014 until 3rd January 2015, the approved hours being every Monday to Sunday from 11.00 p.m. to 4.30 a.m., subject to standard conditions.

#### 6. **House in Multiple Occupation (HMO) – Licence Renewal Request.**

There was submitted a report (issued to members only) requesting that the Panel consider the stakeholder findings from the property inspection at 9 Charlotte Street, Ayr on 2nd December 2014 in order to decide whether to grant or refuse this HMO renewal licence application.

The Panel heard from the Policy Officer, Community Care and Housing and from the applicant and adjourned for consideration of this application.

**Decided:** upon reconvening,

- (1) that the applicant should provide daily weekday updates to the relevant officers of the Council's Housing, Building Standards and Environmental Health Services and an officer of Scottish Fire and Rescue Service outlining the ongoing status of the outstanding works;
- (2) that a site visit be carried out by the relevant officers on Tuesday, 16th December 2014 to ensure that all outstanding matters had been rectified;
- (3) to continue consideration of this matter to a Special meeting of this Panel on Wednesday, 17th December 2014 following the Regulatory Panel (Planning) meeting which would commence at 10.00 a.m., at which time a decision would be taken; and
- (4) to note that the Policy Officer would normally provide an applicant with 14 days notice of the calling of a Panel meeting, however, as the applicant, Mr. Mason was present at this meeting, he confirmed that he was satisfied that he had received due notice.

The meeting ended at 11.15 a.m.