

**REGULATORY PANEL.**

Minutes of meeting in County Buildings, Wellington Square, Ayr, on  
1st December 2016 at 10.00 a.m.

- Present: Councillors Peter Convery (Chair), Andy Campbell, Ian Cavana, Ian Douglas, William J. Grant and Hugh Hunter.
- Apologies: Councillors Ann Galbraith and Sandra Goldie.
- Attending: M. Douglas, Team Leader (Licensing); D. Scobie, Licensing Monitoring Officer; J. McClure, Committee Services Lead Officer; and 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 3rd November 2016 (issued) were submitted and approved.

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

The Licensing Monitoring Officer advised

- (1) that the failure statistics for Taxis and Private Hire Vehicles for the third quarter of 2016 compared to the same period in 2015 were as follows:-
  - (a) 2% failure rate for Taxi Vehicles as opposed to 7% last year which was encouraging, with 47 Taxi Vehicle tests carried out and 1 failure between 1st July and 30th September 2016 compared to 43 Taxi Vehicle tests and 3 failures from 1st July to 30th September 2015;
  - (b) a 2% failure rate for Private Hire Vehicles which was no significant change from last year, with 45 Private Hire Vehicle tests carried out and 1 failure between 1st July and 30th September 2016 compared to 42 Private Hire Vehicle tests and 1 failure with a failure rate of just over 2% for the period 1st July to 30th September 2015;
- (2) that she would continue to monitor the operators of these vehicles; and
- (3) that she had been continuing to carry out joint working with Police Scotland, particularly at Prestwick Airport inspecting private hire and taxi vehicles and drivers for compliance with further dates being planned.

#### 4. Civic Government (Scotland) Act 1982 - Licences.

##### (a) Taxi Drivers.

- (i) The Panel heard from the applicant, Laurie Fraser Frew, in relation to his application.

Councillor Hunter, seconded by Councillor Grant, moved that this application be approved for one year.

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

On a vote being taken by a show of hands, four Members voted for the Amendment and two for the Motion. The Amendment was accordingly declared carried.

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

- (ii) Reference was made to the Minutes of 3rd November 2016 (Page 2, paragraph 3(a)(iv)) when it had been decided in the absence of the applicant, not to suspend the licence currently held by David Riddell and to continue consideration of this matter until the outcome of the criminal proceedings was known (Councillor Hunter dissenting) and the Panel heard from Police Scotland in relation to the proposed suspension of his licence.

Councillor Hunter moved suspension of the licence currently held by David Riddell for the remainder of the term of the licence, however, he failed to find a seconder and his Motion subsequently fell.

**Decided:** by a majority, not to suspend the licence held by David Riddell and to take no further action (Councillor Hunter dissenting).

- (iii) The Panel considered the proposed suspension of the licence currently held by James Gerrard Henderson.

**Decided:** to agree to continue consideration of this matter, at the request of the licence holder and with the consent of Police Scotland, to the meeting of this Panel scheduled to be held on Thursday, 19th January 2017.

##### (b) Public Entertainment.

###### **Riddle Rooms Limited, Top Floor, 18 Hope Street, Ayr, KA7 1LR.**

The Panel heard from the Team Leader (Licensing) regarding the Building Standards and Scottish Fire and Rescue Service reports and from two of the applicant's representatives in relation to this application.

**Decided:** to approve this application in principle; and to give delegated powers to the Legal and Licensing Manager to grant this licence on receipt of a satisfactory report from Building Standards Service and Scottish Fire and Rescue Service following completion of the outstanding works.

(c) **Street Trader**

**Gordon Beattie for Sale of Hot and Cold Food at Green Street/  
York Street/Waggon Road, Ayr.**

In the absence of the applicant, the Panel considered whether to deal with this application at this meeting.

Councillor Grant, seconded by Councillor Douglas, moved that this application be continued to a future meeting of this Panel to allow the applicant to attend.

By way of Amendment, Councillor Hunter, seconded by Councillor Cavana, moved that this application be dealt with at this Panel meeting.

On a vote being taken by a show of hands, two Members voted for the Amendment and four for the Motion which was accordingly declared carried.

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

The meeting ended at 10.30 a.m.