

REGULATORY PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr, on
3rd December 2015 at 10.00 a.m.

- Present: Councillors Peter Convery (Chair), Andy Campbell, Ian Douglas, Ann Galbraith, Sandra Goldie, William J. Grant and Hugh Hunter.
- Apology: Councillor Ian Cavana.
- Attending: M. Douglas, Team Leader (Licensing); J. Hodge, Housing Policy and Strategy Co-ordinator (for item 7 only); C. Smith, Building Standards Surveyor (for item 7 only); D. Scobie, Licensing Monitoring Officer; and J. McClure Committee Services Officer.
- In Attendance: Inspector A. Kelly, Police Scotland; and A. Belford, Fire Safety Auditing Officer, Scottish Fire and Rescue Service.

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 5th November 2015 ([link attached](#)) were submitted and approved.

3. Setting Metered Taxi Fares.

Reference was made to the Minutes of 27th August 2015 (Page 1, paragraph 3) when it had been agreed

- (1) to approve the proposed maximum fares; and
- (2) to advertise the proposed fare structure in the local press to allow interested parties to make representation in terms of Section 17 of the Civic Government (Scotland) Act 1982 and to request a further report to a future meeting of this Panel following publication of the proposed fares,

there was submitted a [report](#) (issued) of 17th November 2015 by the Executive Director – Resources, Governance and Organisation

- (a) seeking approval to set the metered fares for taxis and private hire vehicles; and
- (b) advising that the appropriate advertisement had been placed in the local press inviting representations on the proposals, however, no representations had been received.

Decided:

- (i) to approve the metered fares for taxi and private hire vehicles, with effect from 15th January 2016, as follows:-

<u>Unit</u>	<u>Charge</u>
Distance not exceeding 1180 yards or for a time not exceeding 4 minutes 40 seconds	£2.80
Each additional 80 yards or 24 seconds	£0.10
Night-time charge per hire (midnight to 6 a.m.)	£1.00
Each completed period of 48 seconds	£0.20
Fouling charge	£60.00
6/7/8 seater vehicles - where 6, 7 or 8 passengers are carried, an enhanced charge; and	X1.5 metered fare
Christmas and New Year (from 9.00 p.m. on 24th December to 6.00 a.m. on 27th December and from 9.00 p.m. on 31st December to 6.00 a.m. on 3rd January) ; and	X1.5 metered fare

- (ii) that the fares for the shared hire of metered vehicles and all other charges in connection with the shared hire of metered vehicles, or with the arrangements for their shared hire, should not be greater than those above.

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

(a) **Taxi Drivers.**

- (i) The Panel heard an observation from Police Scotland and from the applicant, Robert William Kriisa, in response.

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

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

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

- (iii) The Panel heard from William Ian Cuthbert in relation to his application.

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

- (iv) The Panel heard from the Team Leader (Licensing) in relation to the application from Maurice McWhirter.

Decided: in the absence of the applicant, to approve this application for three years, subject to standard conditions as previously agreed

- (v) The Panel heard from Steven David Johnson in relation to his application.

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

- (vi) The Panel heard an observation from Police Scotland and from the applicant, James Barton Chilton, in response.

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

- (vii) The Panel heard an objection from Police Scotland and from the applicant, Siobhan Stevenson, in response.

Decided: to refuse this application on the grounds that, in terms of paragraph 5(3)(a)(ii) of Schedule 1 of the Civic Government (Scotland) Act 1982, in their opinion, the applicant was not a fit and proper person to be the holder of the licence.

- (viii) The Panel heard an observation from Police Scotland and from the applicant, John Steve Patrick, in response.

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

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

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

- (x) The Panel heard an observation from Police Scotland and from the applicant, John McCormack, in response.

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

(b) Private Hire Driver.

The Panel considered a letter (tabled) from Patrick Oliver Moran and heard from him in relation to his application.

Councillor Galbraith, seconded by Councillor Grant, moved that the application be approved for three years.

By way of Amendment, Councillor Hunter, seconded by Councillor Convery, moved that the application be approved for one year.

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

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

(c) Private Hire Vehicles.

- (i) The Panel considered the proposed suspension of the licence held by Tanya Patricia Blowman as she had failed to present her car for Annual Inspection.

Decided: to suspend the licence currently held by Tanya Patricia Blowman as she had failed to present her car for Annual Inspection in terms of Condition 3 of the Private Hire Vehicle Licence (inspection due by 31st October 2015).

- (ii) The Panel considered the proposed suspension of the licence held by Steven Dorans as he had failed to present his car for Annual Inspection.

Decided: to take no further action as the licence holder had returned the vehicle's plates.

(d) Public Entertainment Licence.**ICombat Ayr Limited for South Unit 1, Mosshill Industrial Estate, Ayr, KA6 6BE.**

The Panel heard from the Team Leader (Licensing) and the Building Standards Surveyor in relation to this application.

Decided: subject to the licence not coming into effect until the Building Warrant and Completion Certificate had been granted, to approve this application for three years, the approved hours being every Sunday to Saturday inclusive from 10.00 a.m. to 11.00 p.m., subject to standard conditions as previously agreed.

5. Exclusion of press and public.

The Panel resolved, in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, that the press and public be excluded from the following item of business on the agenda, on the grounds that it involved the likely disclosure of exempt information in terms of paragraph 6 of Part 1 of Schedule 7A of the Act.

6. Civic Government (Scotland) Act 1982 - Licences.

Taxi Drivers.

The Panel heard an observation from Police Scotland and from the applicant, Darren Hugh Patterson, in response.

Councillor Hunter, seconded by Councillor Galbraith moved that the application be refused as, in their opinion, the applicant was not a fit and proper person to be the holder of the licence.

By way of Amendment, Councillor Grant, seconded by Councillor Goldie moved that the application be approved for one year.

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

Decided: to approve this application for one year, subject to standard conditions as previously agreed

7. House in Multiple Occupation Licence Request.

There was submitted a joint report (issued to members only) of 12th November 2015 by the Executive Director – Economy Neighbourhood and Environment and the Executive Director – Resources, Governance and Organisation requesting that the Panel consider the content of the report and the stakeholder findings from the property inspection of 2 The Avenue, Girvan on 1st December 2015 and thereafter consider the application.

The Panel heard from the Housing Policy and Strategy Co-ordinator on the findings of the inspection and from A. Belford, Scottish Fire and Rescue regarding the fire safety measures within the property.

Councillor Campbell moved refusal of this application but failed to find a seconder and subsequently his motion fell.

Decided: to continue consideration of this application to the meeting of the Regulatory Panel (Planning) scheduled to be held on Wednesday 16th December 2015 to allow further information to be sought (Councillor Campbell dissenting).

The meeting ended at 11.25 a.m.