

REGULATORY PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr, on
20 June 2019 at 10.00 a.m.

Present: Councillors Brian Connolly (Chair), Andy Campbell, Ian Cavana, Peter Convery, Ian Fitzsimmons, Mary Kilpatrick, Craig Mackay and Margaret Toner.

Attending: M. Douglas, Team Leader (Licensing); H. Talbot, Team Leader (Building Standards); D. Scobie, Civic Licensing Standards Officer; and J. McClure, Committee Services Lead Officer.

Also Attending: Chief Inspector B Anderson and Sergeant D. Dougan, Police Scotland; and B. Ferries, General Manager and M. Gajic, Safety Officer, Ayr Racecourse.

1. Chair's Remarks.

The Chair outlined the procedures for the hearing process pertaining to the applications on the agenda.

2. 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.

3. Minutes of previous meeting.

The [minutes](#) of 21 May 2019 (issued) were submitted and approved.

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

There was submitted a [report](#) (issued) of 28 May 2019 by the Director – Place advising of the outcome of the annual technical inspections at Ayr Racecourse; and seeking approval for the issue of the revised Safety Certificates for the two stands.

The Panel heard

- (1) the Team Leader (Building Standards) advise that a site visit had been undertaken on 26 April 2019 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 General Manager, Ayr Racecourse thank all Officers involved for their assistance in this matter.

Decided: to agree

- (a) that the current Safety Certificates should remain in force until 30 June 2019;
- (b) that the revised Safety Certificates would come into force on 1 July 2019, for a period of one year; and
- (c) that a site visit be undertaken by the Panel to Ayr Racecourse in the near future.

5. Annual Inspection and Revised Safety Certificates for Somerset Park, Ayr.

There was submitted a [report](#) (issued) of 29 May 2019 by the Director – Place advising of the outcome of the annual technical inspection of Somerset Park, Ayr; and seeking approval for the issue of a Revised Safety Certificate for the ground.

The Panel heard

- (1) the Team Leader (Building Standards)
 - (a) advise
 - (i) that a site visit had been undertaken on 7 March 2019 and that all of the required assessments, surveys, certification and reports were now in place, however, maintenance works required to be completed prior to 14 July 2019 when a further inspection would be carried out to ensure all necessary works had been completed; and
 - (ii) that there had been no adverse comments from Environmental Health Service, Police Scotland, Scottish Fire and Rescue, Scottish Ambulance Service or St. Andrews Ambulance Corps; and
 - (b) update the Panel on the present position in regard to the ongoing scheduled Maintenance Agreement for the upgrading of the overall stadium; and advising that the trackside wall had been replaced in full during the closed season and the Building Warrant had recently been approved for the works on the main stand.

Decided:

- (A) to agree that the current Safety Certificate should remain in force until 30 June 2019;
- (B) to agree that the revised Safety Certificate would come into force on 1 July 2019, for a period of one year; and
- (C) that a site visit be undertaken by the Panel to Somerset Park in the near future.

6. Variation in Order of Business.

In terms of Council Standing Order No. 13(2), the Panel agreed to vary the order of business as hereinafter minuted.

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

(a) Taxi Drivers.

- (i) The Panel heard from Team Leader (Licensing) in relation to the application from Michelle Milne.

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

- (ii) The Panel heard from the Civic Licensing Standards Officer and from the licence holder in response and viewed body cam footage in relation to the proposed suspension of the licence currently held by Paul James Ellis.

Decided: not to suspend the licence held by Paul James Ellis and to take no further action.

- (iii) Reference was made to the Minutes of 21 May 2019 (Page 1, paragraph 4(i)) when the Panel had decided to continue consideration of this application to a future meeting of this Panel to allow further information to be sought; and the Panel then heard a representation from Police Scotland and from the applicant, James Andrew Steele, in response.

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

(b) Taxi Vehicle Licences.

The Panel heard from the Civic Licensing Standards Officer and from the applicant, David McKee, in response.

Decided: to grant delegated powers to the Service Lead – Legal and Licensing to grant the licence to David McKee if the vehicle passed the relevant inspection by 27 June 2019 or to refuse the application if the vehicle had not been successfully tested by then as the licence must be determined no later than 27 June 2019.

(c) Private Hire Vehicle Licence.

Reference was made to the Minutes of 21 May 2019 (Page 2, paragraph 6(iii)) when this matter had been continued at the request of the applicant.

Decided: to note that this matter would not proceed as the licence holder, Alastair Taylor had now disposed of all of his vehicles.

8. 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 remaining 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.

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

(a) **Taxi Drivers.**

The Panel heard from William John Marrs in relation to his application.

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

(b) **Taxi Vehicle Licences.**

- (i) The Panel heard a representation from Police Scotland and from the applicant, Thomas Lindores in response in relation to application 19/00358/HCVL.

Decided: having considered a letter from the applicant, to approve this application for three years, subject to standard conditions as previously agreed.

- (ii) The Panel heard a representation from Police Scotland and from the applicant, Thomas Lindores in response in relation to application 19/00359/HCVL.

Decided: having considered a letter from the applicant, to approve this application for three years, subject to standard conditions as previously agreed.

The meeting ended at 10.50 a.m.