

REGULATORY PANEL

Minutes of a hybrid webcast meeting of
14 March 2024 at 10.00 a.m.

- Present in County Hall: Councillors Kenneth Bell (Chair), Ian Cavana, Alec Clark, Alan Lamont, Martin Kilbride and Duncan Townson.
- Present Remotely: Councillor Mary Kilpatrick.
- Apologies: Councillors Mark Dixon and Craig Mackay.
- Attending: K. Briggs, Service Lead – Legal and Licensing; L. McChristie, Co-ordinator (Licensing); C. Carroll, Co-ordinator (Housing Policy and Strategy); H. Talbot, Co-ordinator (Building Standards); D. Scobie, Civic Licensing Standards Officer; M. Wright, Fleet Officer; J. McClure, Committee Services Lead Officer; and C. McCallum, Committee Services Assistant.

Chair's Remarks

The Chair

- (1) welcomed everyone to the meeting; and
- (2) outlined the procedures for conducting this meeting and advised that this meeting would be broadcast live.

1. Sederunt and Declarations of Interest.

The Co-ordinator (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. Minutes of Previous Meeting

The [minutes](#) of 15 February 2024 (issued) were submitted and approved.

3. Civic Government (Scotland) Act 1982 - Licences

(a) Short Term Lets

(i) 65 Midton Road, Prestwick

The Panel heard from the Co-ordinator (Housing Policy and Strategy) and from the applicant's representative in relation to the above application.

The Panel

Decided: to approve this application subject to standard conditions as previously agreed.

(ii) **Colarn House, Dunure Road, Ayr, South Ayrshire, KA7 4LA**

The Panel heard from the Co-ordinator (Housing Policy and Strategy), from the Co-ordinator (Building Standards) and from the applicant in relation to the above application.

The Panel

Decided: to approve this application subject to the condition that the licence holder must finalise the completion certificate process with Building Standards within one month of 14 March 2024 and within a reasonable period of receipt of the completion certificate, provide a copy of the completion certificate to the Housing Policy and Strategy team; and subject to standard conditions as previously agreed.

(b) **Taxi Driver.**

The Panel heard from the Co-ordinator (Licensing) and from the licence holder, John Boyle, in relation to his application.

The Panel

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

Variation in Order of Business

In terms of Standing Order No. 13.3, the Panel agreed to vary the order of business as hereinafter minuted.

(c) **Taxi Vehicle**

The Panel heard from the Civic Licensing Standards Officer, the Fleet Officer and from the representative for the licence holder, Balwant Singh Sandhu in relation to the proposed suspension of his licence.

Decided: to take no action at this time.

(d) **Private Hire Vehicle**

The Panel heard from the Civic Licensing Standards Officer, the Fleet Officer and from the licence holder, Shafiz Ekhteyari in relation to his request that his vehicle be licensed for a limited period of time, notwithstanding that the age of the vehicle did not meet the criteria in Section 7 of the Taxi and Private Hire Policy.

Decided: to approve this application for one year from 31 March 2024, subject to standard conditions as previously agreed.

(e) Private Hire Driver.

The Panel heard from the Co-ordinator (Licensing) and from the licence holder, Mohammad Arsalan Javed, in relation to his application.

In terms of Standing Order No. 19.9, there was no general agreement to the unopposed motion, therefore, the Council moved to a vote for or against the Motion.

The Panel

Decided: by a majority, to grant delegated powers to the Service Lead – Legal and Licensing to approve this application on receipt of documentation from the applicant within four weeks of today's meeting, confirming the information provided by Mr Javed to the Panel. Should these documents not be provided or should the documents not confirm satisfactorily the information provided by Mr Javed, this matter would be referred back to this Panel for consideration.

4. Taxi and Private Hire Vehicle Age Limits

There was submitted a [report](#) (issued) of 8 March 2024 by the Head of Legal and Regulatory Services advising of the discussions regarding vehicle age limits at the recent Taxi and Private Hire Forum meeting and requesting that consideration be given to temporarily extending vehicle age limits as follows:

- (1) for the taxi and private hire vehicles currently licensed with South Ayrshire Council, which will reach their upper age limit in terms of Council policy between 14 March 2024 and 31 May 2024, consider whether to temporarily extend the upper age limit for the period until 31 May 2024, pending a Report to be considered at Cabinet on 21 May 2024 regarding any permanent decision for changes to the age limits for taxi and private hire vehicles; and
- (2) if members agree to the temporary extension in terms of paragraph (1) above, request that the Co-ordinator (Licensing) advise the taxi and private hire trade of this temporary extension and request that licence holders whose taxi or private hire vehicles reach the current age limit before 31 May 2024 contact Licensing if they wish to utilise this extension so the necessary arrangements could be made.

The Co-ordinator (Licensing) requested that a further condition be added, namely "that, as the vehicles are various ages, in terms of the testing regime, delegated powers be granted to the Service Lead – Legal and Licensing to determine if any further vehicle testing was required in each circumstance".

Following discussion, the Panel

Decided:

- (a) to approve recommendations (1) and (2) above; and
- (b) to approve the addition of a further paragraph, namely "that, as the vehicles are various ages, in terms of the testing regime, delegated powers be granted to the Service Lead – Legal and Licensing to determine if any further vehicle testing was required in each circumstance".

5. Protocol for Handling of Applications under the Civic Government (Scotland) Act 1982 at Regulatory Panel (Licensing)

There was submitted a [report](#) (issued) of 8 March 2024 by the Head of Legal and Regulatory Services seeking approval of the updated Protocol for the Handling of Applications under the Civic Government (Scotland) Act 1982 at the Regulatory Panel (Licensing), attached as Appendix 2 to the report.

The Panel

Decided:

- (1) to approve the updated Protocol for the Handling of Applications under the Civic Government (Scotland) Act 1982 at the Regulatory Panel (Licensing), attached as Appendix 2 to the report;
- (2) to request that the Co-ordinator (Housing Policy and Strategy), arrange for publication of the approved Protocol on the Council's webpage for the Short-Term Let Licensing Scheme; and
- (3) to request that the Co-ordinator (Licensing) arrange for publication of the approved Protocol on the Council's webpage for Licensing.

The meeting ended at 11.50 a.m.