

County Buildings
Wellington Square
AYR KA7 1DR
Telephone No.01292 612169



6 June 2024

To:- Councillors Bell (Chair), Cavana, Clark, Dixon, Kilbride, Kilpatrick, Lamont, Mackay and Townson.

All other Members for Information Only

Dear Councillor

REGULATORY PANEL (LICENSING)

You are invited to participate in the above hybrid webcast Panel to be held on **Thursday 20 June 2024 at 10.00 a.m.** for the purpose of considering the undernoted business.

Please note that a briefing meeting will take place for all Panel Members at 9.15 a.m., online and in the Prestwick Room.

This meeting will be held on a hybrid basis, remotely and in County Hall and will be live-streamed and available to view at <https://south-ayrshire.public-i.tv/>

Yours sincerely

CATRIONA CAVES
Chief Governance Officer

B U S I N E S S

1. Declarations of Interest.
2. Minutes of previous meetings of:-
 - (a) 2 May 2024 (Special);
 - (b) 15 May 2024 (Special); and
 - (c) 23 May 2024(copies herewith).
- 3./

3. Business Under Civic Government (Scotland) Act 1982:

- (a) Taxi Vehicle.**
- (b) Short Term Lets**

(relevant information for each item – Members Only)

For more information on any of the items on this agenda, please telephone Janice McClure, Committee Services, on 01292 612169, at Wellington Square, Ayr or e-mail: committeeservices@south-ayrshire.gov.uk
www.south-ayrshire.gov.uk

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REGULATORY PANEL (SPECIAL)

Minutes of a hybrid webcast meeting of
2 May 2024 at 10.00 a.m.

Present in County Hall: Councillors Martin Kilbride (Chair), Ian Cavana, Alec Clark, Alan Lamont and Duncan Townson.

Present Remotely: Councillors Mary Kilpatrick and Craig Mackay.

Apologies: Councillors Kenneth Bell and Mark Dixon.

Attending: K. Briggs, Service Lead – Legal and Licensing; L. McChristie, Co-ordinator (Licensing); C. Carroll, Co-ordinator (Housing Policy and Strategy); A. Gibson, Committee Services Officer; and E. Moore, 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. Civic Government (Scotland) Act 1982 - Licences**(a) Short Term Lets**

- (i) **The Granary Loft, Pleasantfield Farm C73 From B7034 At Carcluie – North To C39 Junction At High Corton, Ayr**
- (ii) **The Byre, Pleasantfield Farm C73 From B7034 At Carcluie - North To C39 Junction At High Corton, Ayr**

The Panel heard from the Co-ordinator (Licensing) advising that Officers in Building Standards had confirmed that all outstanding issues had now been resolved; and that by the end of this week the applicant's Architect would be submitting an application to vary the current Building Warrant application.

The Panel

Decided: to approve this application subject to standard conditions as previously agreed; and subject to the following conditions:

- (1) the licence holder must submit a formal application to amend their current Building Warrant Application within one week of 2nd May 2024;
- (2) once approval has been received for the Building Warrant Application, the licence holder must, finalise their application to Building Standards for a Completion Certificate within one month of approval; and
- (3) within a reasonable period of receipt of a Completion Certificate from Building Standards the licence holder will provide a copy of this to the Housing Policy and Strategy team.

(iii) 5 Genoch Mews, Dunure

Having heard from the Chair, the Panel

Decided: to note that this application had been withdrawn by the applicant.

(iv) 48 Churchill Tower, Ayr

The Panel heard from the Co-ordinator (Housing Policy and Strategy), from various objectors and from the applicant's representative and adjourned for consideration of the above application.

Following the adjournment, all those present required to leave the building due to the fire alarm being activated.

The Panel

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

Councillor Townson left the meeting at this point.

(v) **35 Donnini Court, Ayr**

The Panel heard from the Co-ordinator (Housing Policy and Strategy), from various objectors 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.

(vi) **5 Churchill Tower, Ayr**

The Panel heard from the Co-ordinator (Housing Policy and Strategy), from various objectors 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.

The meeting ended at 1.15 p.m.

REGULATORY PANEL (SPECIAL)

Minutes of a hybrid webcast meeting of
15 May 2024 at 10.00 a.m.

- Present in
County Hall: Councillors Kenneth Bell (Chair), Ian Cavana, Alec Clark and Martin Kilbride.
- Present
Remotely: Councillor Craig Mackay.
- Apologies: Councillors Mark Dixon, Alan Lamont, Mary Kilpatrick and Duncan Townson.
- Attending: K. Briggs, Service Lead – Legal and Licensing; L. McChristie, Co-ordinator (Licensing); C. Carroll, Co-ordinator (Housing Policy and Strategy); 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. Civic Government (Scotland) Act 1982 - Licences**(a) Short Term Lets**

Councillor Bob Shields addressed the Panel as Local Member outlining concerns expressed by his constituents in relation to the following three applications and in relation to the Short Term Lets legislation.

The applicant's representative then advised that he had been of the understanding that Councillor Shields would be raising general concerns in relation to Short Term Lets and not specifically in relation to the following three applications; and the Co-ordinator (Licensing) advised that Councillor Shields' comments were in relation to Short Term Lets within the area of these applications. The Service Lead – Legal and Licensing further advised that the procedures allowed for Local Ward Members to address the Panel and outline any concerns in relation to Short Term Lets.

(i) **14 Rowallan Court, Ayr**

The Panel heard from the Co-ordinator (Housing Policy and Strategy), from one of the objectors and from the applicant's representative and adjourned for consideration of the above application.

Upon reconvening, the Panel

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

(ii) **37 Donnini Court, Ayr**

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

The Panel

Decided: to approve this application subject to the licence holder removing all laminate flooring and carpeting these areas within four weeks of the date of this meeting; and subject to standard conditions as previously agreed.

Councillor Mackay left the meeting at this point.

(iii) **57 Churchill Tower, Ayr**

The Panel heard from the Co-ordinator (Housing Policy and Strategy), from various objectors 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.

The meeting ended at 1.10 p.m.

REGULATORY PANEL

Minutes of a hybrid webcast meeting of
23 May 2024 at 10.00 a.m.

Present in County Hall: Councillors Kenneth Bell (Chair), Ian Cavana, Mark Dixon, Martin Kilbride, Alan Lamont and Duncan Townson.

Present Remotely: Councillor Alec Clark.

Apologies: Councillors Mary Kilpatrick and Craig Mackay.

Attending: L. McChristie, Co-ordinator (Licensing); C. Carroll, Co-ordinator (Housing Policy and Strategy); D. Scobie, Civic Licensing Standards Officer; and J. McClure, Committee Services Lead Officer.

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 25 April 2024 (issued) were submitted and approved.

3. Taxi and Private Hire Vehicle Age Limits

There was submitted a [report](#) (issued) of 17 May 2024 by the Chief Governance Officer seeking an extension to the recent decision of the Regulatory Panel (Licensing) on 14 March 2024 to temporarily extend the upper age limit of taxis and private hire vehicles from 31 May 2024 to 11 October 2024

The Panel

Decided:

- (1) to grant an extension of the vehicle age limits to 11 October 2024 for the licence holders of taxi and private hire vehicles:
 - (a) currently holding an extension authorised by the Licensing service, following the Panel decision of 14 March 2024, subject to authorisation by Licensing including any required testing in terms of paragraph (3) below; and
 - (b) whose vehicles have reached or will reach their upper age limit in terms of Council policy between 14 March 2024 and 11 October 2024, who have advised Licensing of their intention to utilise the extension, and subject to authorisation by Licensing, including any required testing in terms of paragraph (3) below;
- (2) if members agree to the temporary extension in terms of paragraph 2.1.1 above, request that the Co-ordinator (Licensing) advises the taxi and private hire trade of this temporary extension and requests that licence holders who (a) currently hold an extension and (b) whose taxi or private hire vehicles will reach the current age limit before 11 October 2024, contact Licensing if they wish to utilise this extension so the necessary arrangements can be made; and
- (3) if members agree to the temporary extension in terms of paragraph (1) above, to grant delegated powers to the Service Lead – Legal and Licensing to determine if any further vehicle testing is required in each circumstance.

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.

4. Civic Government (Scotland) Act 1982 - Licences

(a) Short Term Lets

(i) 16A North Harbour Street, Ayr

The Panel heard from the Co-ordinator (Housing Policy and Strategy), from various objectors 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) **14D North Harbour Street, Ayr**

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.

(iii) **14B North Harbour Street, Ayr**

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.

(b) **Taxi Driver**

The Panel heard from the Co-ordinator (Licensing) and from the applicant, Mark Robert Kennedy in relation to his application.

The Panel

Decided: to approve the above application from Mark Robert Kennedy for three years, subject to standard conditions as previously agreed.

(c) **Private Hire Drivers**

(i) Reference was made to the Minutes of 14 March 2024 (Page 3, paragraph 3(e)) when the Panel had 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 the 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. The Panel then further considered this application and, in the absence of the applicant,

Decided: to refuse this application due to the circumstances surrounding the charge and on the basis that, in their opinion, the applicant is not a fit and proper person to be the holder of the licence.

- (ii) The Panel heard from the Civic Licensing Standards Officer in relation to the application from Peter Ajoku for exemption from undertaking taxi training.

Decided: to approve the application from Peter Ajoku for exemption from undertaking taxi training subject to him undertaking and passing the assessment which includes the Knowledge Test; and to grant delegated powers to the Service Lead – Legal and Licensing to suspend this licence should he not provide the appropriate documentation providing proof of passing this assessment within six months of today’s meeting.

(d) Taxi Driver Training

The Panel considered the proposed suspension of various licences.

Decided:

- (i) that, as the undernoted licence holders had not completed training, to suspend the licences held by them for their unexpired duration with immediate effect on the ground that a condition of the licence has been contravened; and to grant delegated powers to the Service Lead - Legal and Licensing to reinstate these licences once proof of completion of the training course had been exhibited:

- (A) Joshua Gibreal;
- (B) Simanpreet Singh;
- (C) Greg Robert Tunnock;
- (D) Brian O'Rourke;
- (E) Christopher Coburn;
- (F) Reece Cox;
- (G) Nadeem Abdi;
- (H) Zafer Yildirim;
- (I) James Meek;
- (J) Patrick Ferguson;
- (K) Louise Anne Muir;
- (L) Mohammad Konbos;
- (M) Mohammad Shafi;
- (N) Mark Antony Shearer;
- (O) Dawid Spozowski;
- (P) William Blacklaw; and
- (Q) Paul William Tynan;

- (ii) having heard Constantinos Grivas advise that he was booked on the training course taking place on 6 June 2024, not to suspend his licence, however, to grant delegated powers to the Service Lead – Legal and Licensing to suspend the licence held by him should he not submit a certificate of completion of the training course to Licensing Services within seven days of the training course taking place; and

(iii) having heard the following advise that they would book a place on the training course taking place on 6 June 2024, not to suspend their licences, however, to grant delegated powers to the Service Lead – Legal and Licensing to suspend the licence held by them should they not submit a certificate of completion of the training course to Licensing Services within seven days of the training course taking place:

- (A) Robert Peters; and
- (B) Glen Edwards Logan.

(e) **Late Hours Catering**

Spice Cubes, 64 Sandgate, Ayr, KA7 1BX

The Panel heard from the Co-ordinator (Licensing) in relation to this application.

The Panel

Decided: in the absence of the applicant, to grant the above application subject to standard conditions as previously agreed, the approved hours being every Sunday – Thursday 11.00p.m. – 1.00a.m.; and every Friday and Saturday 11.00p.m. – 3.30a.m.

The meeting ended at 12.40 p.m.

SOUTH AYRSHIRE COUNCIL

REGULATORY PANEL

20 JUNE 2024

TAXI VEHICLE LICENCE

- 1. GEORGE LYON**

SOUTH AYRSHIRE COUNCIL

REGULATORY PANEL

20 JUNE 2024

SHORT TERM LETS LICENCES

1. St Ninians Road, Prestwick
2. Flat B 9 North Harbour Street, Ayr
3. Flat 5 113 Portland Street, Troon
4. 27 Churchill Tower, Ayr