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12 September 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 26 September 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 meeting of
  - (a) 29 August 2024; and
  - (b) 5 September 2024

(copies herewith).
- 3./

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

- (a) Short Term Lets**
- (b) Second Hand Dealers,**

**(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](mailto:committeeservices@south-ayrshire.gov.uk)  
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## **REGULATORY PANEL**

Minutes of a hybrid webcast meeting of  
29 August 2024 at 10.00 a.m.

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

Present Remotely: Councillors Mary Kilpatrick and Craig Mackay.

Attending: K. Briggs, Service Lead – Legal and Licensing; L. McChristie, Co-ordinator (Licensing); C. Carroll, Co-ordinator (Housing Policy and Strategy); D. Scobie, Civic Licensing Standards Officer; M. Wright, Fleet Officer; J. McClure, Committee Services Lead Officer; and C. McCallum, Committee Services Assistant.

Also Attending: Sergeant S. Syme, Police Scotland.

### **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 12 June 2024 (Special) and 29 June 2024 (issued) were submitted and approved.

### **3. Update by Civic Licensing Standards Officer.**

The Civic Licensing Standards Officer

- (1) outlined the failure statistics for Taxis and Private Hire Vehicles for the second quarter of 2024 (1 April to 30 June), compared to the same period in 2023 as follows:-
  - (a) 7% failure rate for the twenty seven Taxi Vehicles tested and two vehicles which failed; compared to 19% in 2023 when twenty seven Taxi Vehicles had been tested and five had failed; and
  - (b) 3% failure rate for the thirty five Private Hire Vehicles tested and one failure as opposed to 17% in 2023 when twenty nine vehicles had been tested and five had failed;

- (2) referred to the significant decrease in fails for both Taxi and Private Hire Vehicles during this period which was welcomed;
- (3) highlighted the various reasons for the vehicles failing the test;
- (4) advised that the Licensing Team had been extremely busy processing applications for both Civic and Liquor Licensing this year; outlined the statistics for these applications which included music festivals, gala days, community events and charity fundraising days; and advised that the Licensing Team worked closely with the organisers of these events to ensure that all the relevant documentation, including all safety documentation was provided to facilitate these events;
- (5) advised that the Ayr Show next weekend had been in process for the last nine months with various services within South Ayrshire Council working together to deliver this event;
- (6) outlined that the first multi-agency meeting had taken place this year regarding firework displays which included Police Scotland, Strathclyde Fire and Rescue, Environmental Health, NHS and organisers from Girvan, Ayr and Troon; that early engagement was welcomed with those planning to hold a fireworks event to ensure that all relevant parties had the opportunity to report on these events as public safety was paramount; and
- (7) advised that the Licensing Team dealt with many other types of civic applications such as Street Traders, Late Hours Catering, Second Hand Car Dealers and Second Hand Dealers with thirty eight licences granted from January 2024 until now; that the Licensing Team also dealt with Public Processions and the notification process for this type of event; that the Team was very busy, especially approaching the festive season for events including Christmas Fayres and Markets, therefore early engagement would be appreciated for all types of licences to ensure the processing of applications.

Comments were made by Members in relation to the success of The Open at Royal Troon; the large number of applications which were processed by the Licensing Team; and the decrease in Taxi and Private Hire failure rates being welcomed.

The Panel, having commended the Licensing Team for their work,

**Decided:** to note the update from the Civic Licensing Standards Officer.

### **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.

### **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 two items, on the grounds that they involved the likely disclosure of exempt information in terms of paragraph 14 of Part 1 of Schedule 7A of the Act.

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

##### (a) Taxi Driver Licence

The Panel heard from Police Scotland in relation to the suspension of the licence previously held by Jack Grigor.

The Co-ordinator (Licensing) advised that on 30 July 2024 the Chief Governance Officer had suspended Mr Grigor's licence under delegated powers on the grounds that the carrying on of the licensed activity, is causing, or is likely to cause, a threat to public safety.

The Panel

**Decided:** in the absence of Mr Grigor, to suspend the licence previously held by him with immediate effect in terms of Paragraph 11(2)(a) and (2)(c) of Schedule 1 of the Act as, in their opinion, the licence holder is not, or is no longer, a fit and proper person to hold the licence and the carrying on of the licensed activity, is causing, or is likely to cause, a threat to public safety.

##### (b) Private Hire Vehicle Licence

The Panel heard from the Civic Licensing Standards Officer and from the Fleet Officer in relation to the application from the licence holder Allahyar Sultani, to grant an extension to his current vehicle licence.

The Panel

**Decided:** to grant an additional twelve months to Mr Sultani's current licence subject to the conditions that an additional test be carried out on his vehicle after six months; and that any advisory matters be rectified and the Licensing Team be notified of this within a reasonable timescale.

##### (c) Short Term Lets

###### (i) 7 Churchill Tower, 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.

Following a comment from one of the objectors that he had emailed all Panel Members regarding this application and had not received a response, a Member advised that the Members of the Panel were unable to respond to applicants or objectors on specific applications.

In terms of Standing Order No. 19.9, there was no general agreement to the unopposed motion, therefore, the Panel moved to a vote undertaken by electronic means for or against the Motion. Six Members voted for the Motion, two Members voted against the Motion and one Member abstained.

The Panel

**Decided:** to approve this application subject to standard conditions as previously agreed and subject to the condition that there be a curfew on the use of the balcony, to be agreed between the applicant and the Co-ordinator (Housing Policy and Strategy).

### **Adjournment**

The time being 11.30 a.m., the Panel adjourned for ten minutes.

### **Resumption of Meeting**

The meeting resumed at 11.40 a.m.

#### **(ii) 7 Donnini Court, Ayr**

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

In terms of Standing Order No. 19.9, there was no general agreement to the unopposed motion, therefore, the Panel moved to a vote undertaken by electronic means for or against the Motion. Seven Members voted for the Motion and two Members voted against the Motion.

The Panel

**Decided:** to approve this application subject to standard conditions as previously agreed and subject to the applicant's contact details being provided to all neighbours.

### **Short Term Lets**

Following discussion, the Panel agreed that a written briefing be submitted to all Members regarding the process should a complaint be received regarding a Short Term Let licence.

The meeting ended at 12.10 p.m.

**REGULATORY PANEL (SPECIAL)**

Minutes of a hybrid webcast meeting of  
5 September 2024 at 10.00 a.m.

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

Present Remotely: Councillor Mary Kilpatrick.

Apology: Councillor Craig Mackay.

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****(i) 4K Milton Wynd, Turnberry**

The Panel heard from the Co-ordinator (Housing Policy and Strategy), from the two 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) **15 Inkerman Court, Ayr**

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

**Adjournment**

The time being 11.30 a.m. the Panel adjourned.

**Resumption of Meeting**

The meeting resumed at 12.05 p.m.

In terms of Standing Order No. 19.9, there was no general agreement to the unopposed motion, therefore, the Panel moved to a vote undertaken by electronic means for or against the Motion. Five Members voted for the Motion, two Members voted against the Motion and one Member Abstained.

The Panel

**Decided:** to approve this application with the condition of the keysafe being removed within four weeks of the date of this meeting and, should this not be carried out, this matter would be brought back to a future meeting of this Panel for consideration; and 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.

(iii) **28D Inkerman Court, Ayr**

The Panel heard from the Co-ordinator (Licensing) in relation to an objection received outwith the deadline and following discussion, the Panel agreed to accept this objection.

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

The Panel

**Decided:** to approve this application with the condition of the keysafe being removed within four weeks of the date of this meeting and, should this not be carried out, this matter would be brought back to a future meeting of this Panel for consideration; and subject to standard conditions as previously agreed.



**(iv) 17 Marlborough Court, Ayr**

Having heard the Co-ordinator (Licensing) advising that there had been an administrative error in the processing of an objection in relation to this application, the Panel

**Decided:** to continue consideration of this application to a future meeting of this Panel.

**(v) Flat 1 Victoria Mill, 14 York Street, Ayr**

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

In terms of Standing Order No. 19.9, there was no general agreement to the unopposed motion, therefore, the Panel moved to a vote undertaken by electronic means for or against the Motion. Five Members voted for the Motion and three Members voted against the Motion.

The Panel

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

**Councillor Townson left the meeting at this point.**

**(vi) Flat 2 Victoria Mill, 14 York Street, Ayr**

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

In terms of Standing Order No. 19.9, there was no general agreement to the unopposed motion, therefore, the Panel moved to a vote undertaken by electronic means for or against the Motion. Five Members voted for the Motion and two Members voted against the Motion.

The Panel

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

**(vii) Flat 3 Victoria Mill, 14 York Street, Ayr**

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

In terms of Standing Order No. 19.9, there was no general agreement to the unopposed motion, therefore, the Panel moved to a vote undertaken by electronic means for or against the Motion. Five Members voted for the Motion and two Members voted against the Motion.

The Panel

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

**(viii) Flat 7 Victoria Mill, 14 York Street, Ayr**

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

In terms of Standing Order No. 19.9, there was no general agreement to the unopposed motion, therefore, the Panel moved to a vote undertaken by electronic means for or against the Motion. Five Members voted for the Motion and two Members voted against the Motion.

The Panel

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

**(ix) Flat 9 Victoria Mill, 14 York Street, Ayr**

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

In terms of Standing Order No. 19.9, there was no general agreement to the unopposed motion, therefore, the Panel moved to a vote undertaken by electronic means for or against the Motion. Five Members voted for the Motion and two Members voted against the Motion.

The Panel

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

(x) **22 Inkerman Court, Ayr**

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

In terms of Standing Order No. 19.9, there was no general agreement to the unopposed motion, therefore, the Panel moved to a vote undertaken by electronic means for or against the Motion. Five Members voted for the Motion and two Members voted against the Motion.

The Panel

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

The meeting ended at 1.20 p.m.

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**SOUTH AYRSHIRE COUNCIL**

**REGULATORY PANEL**

**26 SEPTEMBER 2024**

**SHORT TERM LETS LICENCES**

1. 4A Milton Wynd, Turnberry
2. 4E Milton Wynd, Turnberry

**SOUTH AYRSHIRE COUNCIL**

**REGULATORY PANEL**

**26 SEPTEMBER 2024**

**SECOND HAND DEALERS LICENCES**

1. Anjum Sohail – Hotspot
2. Anjum Sohail – Mobile Doctor
3. Anjum Sohail – Phone Doctor