

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



4 June 2022

To:- Councillors Bell (Chair), Cavana, Clark, Connolly, Dixon, Kilbride, Kilpatrick, 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 16 June 2022 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 Dundonald Room.

This meeting will be held remotely and will be live-streamed and available to view at <https://south-ayrshire.public-i.tv/>

Yours sincerely

CATRIONA CAVES
Head of Legal, HR and Regulatory Services

B U S I N E S S

1. Declarations of Interest.
2. Appointment of Vice-Chair
3. Annual Inspection and Revised Safety Certificates for the Regulated Stands at Ayr Racecourse - Submit report by Director - Place (copy herewith).
4. Annual Inspection and Revised Safety Certificate for Somerset Park, Ayr - Submit report by Director - Place (copy herewith).

5. Civic Government (Scotland) Act 1982 - Applications for Licences - Consider applications for licences in respect of which adverse comments have been received in terms of the accompanying reports, namely:-

- (a) Taxi Vehicle**
- (b) Private Hire Vehicle**
- (d) Street Trader**

Submit reports by Head of Legal, HR and Regulatory Services (copies herewith - 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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SOUTH AYRSHIRE COUNCIL

**REPORT BY: DIRECTOR - PLACE
TO: REGULATORY PANEL - LICENSING
OF 16th June 2022**

**SUBJECT: ANNUAL INSPECTION AND SAFETY CERTIFICATES FOR THE
REGULATED STANDS AT AYR RACECOURSE**

1. Purpose

- 1.1 To advise the Panel of the outcome of the annual technical inspections at Ayr Racecourse, and to seek approval for the issue of revised Safety Certificates for the two stands.

2. Recommendations

2.1 It is recommended that the Panel:

2.1.1 agrees that the current Safety Certificates remain in force until 30th June 2022, provided that no adverse reports are received at the meeting; and

2.1.2 agrees that the revised Safety Certificates will come into force on 1st July 2022, for the period of one year.

3. Background

- 3.1 Ayr Racecourse is covered by the provisions of the Fire Safety and Safety of Places of Sports Act 1987. Part III of the Act applies to sports grounds which provide covered accommodation in stands for spectators but are not designated sports grounds in terms of the Safety of Sports Grounds Act 1975. Safety Certificates require to be issued for grandstands ("regulated stands"), which provide covered accommodation for 500 or more spectators.

- 3.2 Main guidance is given in the "Guide to Safety of Sports Grounds", the ("Green Guide"). Although the guide has no statutory force, its recommendations can be made statutory by their inclusion in Safety Certificates.

- 3.3 Ayr Racecourse currently has two grandstands which are classed as regulated stands, the Princess Royal (also known as the Club Stand) and the Eglinton Stand.

- 3.4 It should be noted that the Safety Certificates cover only the grandstands, their associated entrances and exits and the concourses in front of the stands. The Racecourse is not classified as a designated Sports Ground under the 1975 Act. The certificates do not cover the Eglinton Rooms, Rothesay Stand, Paddock area etc.
- 3.5 A revised Safety Certificate for the Princess Royal and Eglinton Stands at Ayr Racecourse were issued in June 2019. This certificate was extended due to the Covid 19 pandemic in June 2020 then again in June 2021. The current Certificate remains in force until 30th June 2022, unless withdrawn by the Council.
- 3.6 The Safety Certificates states that all assessments, surveys and reports required, should be completed by 28th February each year, with any remedial works carried out to the satisfaction of the Council by 31st May. It should be noted that an inspection is carried out prior to the Scottish National meeting, which attracts large attendances, is normally held in mid-April.

4. Proposals

Technical Reports

4.1 Building Standards Services, South Ayrshire Council

- 4.1.1 A visit was made to the Racecourse on 28th April 2022. It can be reported that all the required assessments, surveys, certification and reports are now in place, with the exception of, the Structural Certificate, which is signed off after the 2022 Maintenance Programme has been completed. The 2022 Maintenance Programme contains a number of minor items to be repaired, but no major concerns were noted and will be completed by the 30th June 2022.
- 4.1.2 No major developments affecting safety matters in the grandstands have been carried out over the past year.
- 4.1.3 The Scottish Grand National meeting was held on 2nd April 2022 and attracted an attendance of 12,817, and the Ayr Gold Cup meeting was held on the 18th September 2021 with an attendance of 11,267. No adverse reports specifically in relation to the grandstands were received about either meeting.
- 4.1.4 It should be noted that following the Grand National debrief this year there were issues raised by stakeholders including problems in relation to the exiting of the Racecourse following the event. We are currently working with various agencies including the Racecourse representatives to put measures in place to mitigate these issues prior to the Gold Cup race meeting in September.

4.2 Environmental Health Services, South Ayrshire Council

No adverse reports received.

4.3 Scottish Fire & Rescue

Consultations made awaiting comments.

4.4 Police Scotland

Consultations made awaiting comments.

4.5 Scottish Ambulance Service

Consultations made awaiting comments.

4.6 St Andrew's Ambulance Corps

Consultations made awaiting comments.

5. Legal and Procurement Implications

5.1 There are no legal implications arising from this report.

5.2 There are no procurement implications arising from this report.

6. Financial Implications

6.1 The cost of staff time spent on inspections and on the preparation of revised Safety Certificates was met from existing Planning and Building Standards revenue budget.

7. Human Resources Implications

Not applicable.

8. Risk Implications of adopting the recommendations.

8.1 Risk Implications of adopting the recommendations.

8.1.1 There are no risks associated with adopting the recommendations.

8.2 Risk Implications of rejecting the recommendations.

8.2.1 Rejecting the recommendations may impact on the reputation of the Council.

9. Equalities

9.1 The proposals in this report have been assessed through the Equalities Impact Assessment Scoping Process, and there are no significant potential positive or negative equality impacts of agreeing the recommendations and therefore an Equalities Impact Assessment is not required. A copy of the Equalities Scoping Assessment is attached as Appendix 1.

10. Sustainable Development Implications

10.1 Considering Strategic Environment Assessment (SEA) - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

11. Options Appraisal

11.1 An options appraisal has not been carried out in relation to the subject matter of this report.

12. Link to Council Plan

12.1 This work contributes to the Council's Strategic Objective of "maximising the potential of our communities" by creating a safer environment.

13. Results of Consultation

13.1 There has been no public consultation on the contents of this paper.

13.2 Consultation has taken place with SAC Environmental Health Services; Scottish Fire and Rescue; Police Scotland; Scottish Ambulance Service; and the St Andrews Ambulance Corps.

Background Papers

Safety of Sports Grounds Act 1975.
Fire Safety and Safety of Places of Sport Act 1987.
Guide to Safety at Sports Grounds (5th edition) (“the Green Guide”).
Safety Certificates for the Princess Royal and Eglinton Stands, Ayr Racecourse.

Author and Person to Contact

Hugh Talbot | Team Leader – Planning and Building Standards | Place Directorate|
Hugh.talbot@south-ayrshire.gov.uk | Direct Line: 01292 616178

Date. 9th June 2022

APPENDIX 1

South Ayrshire Council Equalities Scoping Template 1. Policy details

The 2022 Annual Inspection and the issuing of an extension of the Safety Certificates for the Regulated Stands at Ayr Racecourse	Lead Officer Hugh Talbot
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2. Which communities, groups of people, employees or thematic groups do you think will be, or potentially could be, impacted upon by the implementation of this policy? Please indicate whether these would be positive or negative impacts

Community, Groups of People or Themes	Negative Impacts	Positive impacts
The whole community of South Ayrshire	No	Yes
People from different racial groups, ethnic or national origin.	No	No
Women and/or men (boys and girls)	No	Yes
People with disabilities	No	Yes
People from particular age groups for example Older people, children and young people	No	No
Lesbian, gay, bisexual and heterosexual people	No	No
People who are proposing to undergo, are undergoing or have undergone a process to change sex	No	No
Pregnant women and new mothers	No	No
People who are married or in a civil partnership	No	No
People who share a particular religion or belief	No	No
Thematic Groups: Health, Human Rights, Rurality and Deprivation.	No	No

3. Do you have evidence or reason to believe that the policy will support the Council to:

General Duty and other Equality Themes	Level of Negative and/or Positive Impact (high, medium or low)
Eliminate discrimination and harassment faced by particular communities or groups	Positive – low Reduced discrimination of disabled
Promote equality of opportunity between particular communities or groups	Positive – low
Foster good relations between particular communities or groups	Positive – low
Promote positive attitudes towards different communities or groups	Positive – low Promotes inclusion in community life
Increase participation of particular communities or groups in public life	Positive – low
Improve the health and wellbeing of particular communities or groups	Positive – low Promotes inclusion in community life
Promote the human rights of particular communities or groups	Positive – low
Tackle deprivation faced by particular communities or groups	Positive – low

4. Summary Assessment

Is a full Equality Impact Assessment required? (A full EIA must be carried out on all high and medium impact policies)		YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
Rationale for decision: The Annual Inspection and the introduction of revised safety certificates for the two regulated grandstands at Ayr Racecourse will improve safety for spectators using the facilities, but has no significant impact on the public in general.			
Signed : Hugh Talbot		Team Leader : Planning & Building Standards	
Date: 9/06/2022		Copy to equalities@south-ayrshire.gov.uk	

SOUTH AYRSHIRE COUNCIL

REPORT BY: DIRECTOR - PLACE

**TO: REGULATORY PANEL - LICENSING
OF 16th June 2022**

**SUBJECT: ANNUAL INSPECTION AND REVISED SAFETY CERTIFICATES
FOR SOMERSET PARK, AYR**

1. Purpose

- 1.1 To advise the Panel of the outcome of the annual technical inspection of Somerset Park, Ayr, and to seek approval for the issue of revised Safety Certificates for the ground.

2. Recommendations

2.1 It is recommended that the Panel:

2.1.1 agrees that the current Safety Certificate remains in force until 30th June 2022, provided that no adverse reports are received at the meeting; and

2.1.2 agrees that the revised Safety Certificate will come into force on 1st July 2022, for the period of one year.

3. Background

- 3.1 Under the Safety of Sports Ground Act 1975 Somerset Park is designated as a ground requiring a General Safety Certificate. In addition to the Safety of Sports Grounds Act 1975 the ground is covered by the Fire Safety and Safety of Places of Sport Act 1987, and related Safety of Sports Grounds Regulations. Main guidance is given by the "Guide to Safety at Sports Grounds", (the "Green Guide"). Although the guide has no statutory force, many of its recommendations are made statutory by their inclusion in the General Safety Certificate.
- 3.2 Somerset Park currently has a General Safety Certificate issued by South Ayrshire Council to Ayr United Football Club (AUFC). Under the terms of the Certificate AUFC are defined as "Holders" of the Certificate. The Certificate sets the ground capacity of Somerset Park at 10,185.

- 3.3 A Revised Safety Certificate for Somerset Park was issued in June 2019 and was agreed to be extended due to the Covid 19 pandemic in June 2020 and again in June 2021. The current Certificate is valid until 30th June 2022, unless withdrawn by the Council. The Safety Certificate states that all assessment, surveys and reports required should be completed by 28th February each year, with any remedial works carried out to the satisfaction of the Council by **14th July**, prior to the beginning of the new football season.

4. Proposals

Technical Reports

4.1 Building Standards Services, South Ayrshire Council

- 4.1.1 A visit was made to Somerset Park on 28th April 2022. It can be reported that all the required assessments, surveys, certification and reports are now in place. The annual Structural Assessment Report has been received by the Council along with required Structural Safety Certificate. Within the Report there is a number of maintenance works required and as such a schedule of works has been prepared and issued to AUFC for completion prior to 14th July 2022.

A further inspection will be scheduled by Building Standards to confirm that all necessary works are completed by the 14th July.

- 4.1.2 It can be reported that as part of the long-term Maintenance Agreement for the stadium, that the trackside wall was replaced in full prior to the pandemic. It should be noted however that the sterile area at the back of the wall remains in place, and that there is no increase in the overall capacity of the ground. It has been requested that this sterile area adjacent to the new wall is clearly delineated with markings to stop spectators standing in this area and to prevent any surcharge pressure on the wall.

- 4.1.3 As part of general upgrading of the overall stadium two replacement external stairs to the main stand were installed in October 2017. The installation of these new stairs required the benefit of a Building Warrant which was not sought at that time of the installation. The new stairs erected did not comply with required current regulations and AUFC were informed that they would require to apply for a Late Building Warrant. This was duly submitted, and they were also further advised that the stairs could only be used in emergency evacuation of the stand

It should be noted at the time of writing this Report a Completion Certificate has not been accepted and that the stairs are still not fully compliant. AUFC have been informed that if this remedial work is not completed to the satisfaction of Building Standards prior to the new season, then this could result in a reduction of the capacity of main stand or possible closure.

4.2 Environmental Health Services, South Ayrshire Council

No adverse comments received

4.3 Scottish Fire & Rescue

Consultations made awaiting comments.

4.4 Police Scotland

Consultations made awaiting comments

4.5 Scottish Ambulance Service

Consultations made awaiting comments

4.6 St Andrew's Ambulance Corps

Consultations made awaiting comments

5. Legal and Procurement Implications

5.1 There are no legal implications arising from this report.

5.2 There are no procurement implications arising from this report.

6. Financial Implications

6.1 The cost of staff time spent on inspections and on the preparation of revised Safety Certificates was met from existing Environment, Neighbourhood & Economy revenue budget.

7. Human Resources Implications

Not applicable.

8. Risk Implications of adopting the recommendations.

8.1 Risk Implications of adopting the recommendations.

8.1.1 There are no risks associated with adopting the recommendations.

8.2 Risk Implications of rejecting the recommendations.

8.2.1 Rejecting the recommendations may impact on the reputation of the Council.

9. Equalities

9.1 The proposals in this report have been assessed through the Equalities Impact Assessment Scoping Process, and there are no significant potential positive or negative equality impacts of agreeing the recommendations and therefore an Equalities Impact Assessment is not required. A copy of the Equalities Scoping Assessment is attached as Appendix 1.

10. Sustainable Development Implications

10.1 Considering Strategic Environment Assessment (SEA) - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

11. Options Appraisal

11.1 An options appraisal has not been carried out in relation to the subject matter of this report.

12. Link to Council Plan

12.1 This work contributes to the Council's Strategic Objective of "maximising the potential of our communities" by creating a safer environment.

13. Results of Consultation

13.1 There has been no public consultation on the contents of this paper.

13.2 Consultation has taken place with SAC Environmental Health Services; Scottish Fire and Rescue; Police Scotland; Scottish Ambulance Service; and the St Andrews Ambulance Corps.

Background Papers Safety of Sports Grounds Act 1975.
Fire Safety and Safety of Places of Sport Act 1987.
Guide to Safety at Sports Grounds (5th edition) (“the
Green Guide”).
Safety Certificate for Somerset Park, Ayr.

Author and Person to Contact

Hugh Talbot| Team Leader – Planning and Building Standards | Place Directorate|
Hugh.talbot@south-ayrshire.gov.uk | Direct Line: 01292 616278

Date. 9th June 2022

APPENDIX 1

South Ayrshire Council Equalities Scoping Template

1. Policy details

The 2022 Annual Inspection and the issue of a revised Safety Certificate for Somerset Park, Ayr	Lead Officer Hugh Talbot
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2. Which communities, groups of people, employees or thematic groups do you think will be, or potentially could be, impacted upon by the implementation of this policy? Please indicate whether these would be positive or negative impacts

Community, Groups of People or Themes	Negative Impacts	Positive impacts
The whole community of South Ayrshire	No	Yes
People from different racial groups, ethnic or national origin.	No	No
Women and/or men (boys and girls)	No	Yes
People with disabilities	No	Yes
People from particular age groups for example Older people, children and young people	No	No
Lesbian, gay, bisexual and heterosexual people	No	No
People who are proposing to undergo, are undergoing or have undergone a process to change sex	No	No
Pregnant women and new mothers	No	No
People who are married or in a civil partnership	No	No
People who share a particular religion or belief	No	No
Thematic Groups: Health, Human Rights, Rurality and Deprivation.	No	No

3. Do you have evidence or reason to believe that the policy will support the Council to:

General Duty and other Equality Themes	Level of Negative and/or Positive Impact (high, medium or low)
Eliminate discrimination and harassment faced by particular communities or groups	Positive – low Reduced discrimination of disabled
Promote equality of opportunity between particular communities or groups	Positive – low
Foster good relations between particular communities or groups	Positive – low
Promote positive attitudes towards different communities or groups	Positive – low Promotes inclusion in community life
Increase participation of particular communities or groups in public life	Positive – low
Improve the health and wellbeing of particular communities or groups	Positive – low Promotes inclusion in community life
Promote the human rights of particular communities or groups	Positive – low
Tackle deprivation faced by particular communities or groups	Positive – low

4. Summary Assessment

Is a full Equality Impact Assessment required? (A full EIA must be carried out on all high and medium impact policies)		YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
Rationale for decision: The Annual Inspection and the issue of a revised safety certificates for the designated sports ground at Somerset Park, Ayr will improve safety for spectators using the facility, but has no significant impact on the public in general.			
Signed : Hugh Talbot		Team Leader : Building Standards	
Date: 9/06/2022		Copy to equalities@south-ayrshire.gov.uk	

SOUTH AYRSHIRE COUNCIL

REGULATORY PANEL

16 JUNE 2022

TAXI VEHICLE LICENCE

1. DANIEL CHRISTIE

SOUTH AYRSHIRE COUNCIL

REGULATORY PANEL

16 JUNE 2022

PRIVATE HIRE VEHICLE

1. NICHOLAS SMITH

SOUTH AYRSHIRE COUNCIL

REGULATORY PANEL

16 JUNE 2022

STREET TRADER LICENCE

1. WILLIAM PATRICK
2. JANE ANNE PATRICK
3. GARETH PAXTON