

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



8 June 2023

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 22 June 2023 at 10.00 a.m.** for the purpose of considering the undernoted business.

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/>

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

Yours sincerely

CATRIONA CAVES
Head of Legal and Regulatory Services

B U S I N E S S

1. Declarations of Interest.
2. Minutes of previous meeting of 25 May 2023 (copy herewith).
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./

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) Private Hire Vehicle**
- (b) Public Entertainment**
- (c) Second Hand Dealers**
- (d) Street Trader**
- (e) Short Term Lets**

Submit reports by Head of Legal 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

/Webcasting

Webcasting

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REGULATORY PANEL

Minutes of a hybrid webcast meeting of
25 May 2023 at 10.00 a.m.

Present in
County Hall: Councillors Kenneth Bell (Chair), Ian Cavana, Alec Clark and Martin Kilbride.

Present Remotely: Councillors Mark Dixon and Craig Mackay.

Apologies: Councillors Brian Connolly, Mary Kilpatrick and Duncan Townson.

Attending: L. McChristie, Co-ordinator (Licensing); M. Wright, Fleet Inspector;
C. Buchanan, Committee Services Officer; and C. McCallum, Clerical
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 27 April 2023 (issued) were submitted and approved.

3. Civic Government (Scotland) Act 1982 - Licences**(a) Taxi Drivers.**

- (i) The Panel heard from the Co-ordinator (Licensing) and from the applicant, Joshua Gibreal in response in relation to his application.

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

- (ii) The Panel heard from the Co-ordinator (Licensing) and from the licence holder, Alan MacDougall, in relation to his application for an exemption under section 166 of the Equality Act 2010

Decided: to approve the application for an exemption under section 166 of the Equality Act 2010 and grant this exemption for the duration of Mr MacDougall's current licence and the duration of any future licences held by Mr MacDougall.

(b) Taxi Vehicle.

Reference was made to the Minutes of 27 April 2023 (Page 3, paragraph 5(b)(iii)) when the Panel had decided, in the absence of the applicant, to continue consideration of this matter to this Panel meeting to allow the applicant to attend. The Panel now heard from the Co-ordinator (Licensing) and the Fleet Manager when considering the proposed suspension or variation of the licence currently held by Balkar Singh (Licence Number 22/00541/HCVL, Registration Number SF16 FJJ, Plate Number 96).

Decided: not to suspend or vary the licence and to take no further action at this time.

4. 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 item, 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.

5. Civic Government (Scotland) Act 1982 - Licences

Private Hire Vehicle

Reference was made to the Minutes of 27 April 2023 (Page 3, paragraph 5(c)(i)) when the Panel had decided, in the absence of the applicant, to continue consideration of this matter to this Panel meeting to allow the applicant to attend; and the Panel now heard from the Co-ordinator (Licensing) and the Fleet Manager when considering the proposed suspension or variation of the licences currently held by Mariusz Czapowski (Licence Number 23/00092/PHVL, Registration Number DV17 NEO, Plate Number 33; Licence Number 22/00108/PHVL, Registration Number SF70 UHO, Plate Number 34; and Licence Number 23/00092/PHVL, Registration Number VU68 CCN, Plate Number 36).

Decided: not to suspend or vary the licences and to take no further action at this time.

The meeting ended at 11:14 a.m.

SOUTH AYRSHIRE COUNCIL

REPORT BY: Depute Chief Executive and Director of Housing, Operations and Development

**TO: REGULATORY PANEL - LICENSING
OF 22nd June 2023**

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 2023, 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 2023, 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 The current Certificate remains in force until 30th June 2023, 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 inspections are carried out prior to the Scottish National meeting, normally held in mid-April and the Gold Cup held in September each year. Both of which attracts the largest attendances.

4. Proposals

Technical Reports

4.1 Building Standards Services, South Ayrshire Council

4.1.1 A visit was made to the Racecourse on 12th May 2023. 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 2023 Maintenance Programme has been completed. The 2023 Maintenance Programme contains a number of minor items to be repaired, and these will be completed by the 30th June 2023.

4.1.2 The structural report submitted as part of the required assessments, identified some significant deterioration in the condition of the Eglinton Stand. Remedial works were carried out on the structure during the year, and some further works were carried out prior to the Scottish Grand National meeting in April. The works carried out allowed the majority of stand to be used during the event with some areas restricted. The report also highlighted further works that may be required to the structure to secure its long-term future.

We are currently working with the racecourse management team and safety officers to determine how this work will be programmed. This may require a temporary closure of the stand during the year; however it should be noted that for the majority of the race meetings the Eglinton Stand is not in use.

4.1.3 The Scottish Grand National meeting was held this year on 22nd April 2023 and attracted an attendance of 17,171, and the Ayr Gold Cup meeting was held on the 17th September 2022 with an attendance of 10,821. No adverse reports specifically in relation to the grandstands were received about either meeting.

4.1.4 At the debrief for the Scottish Grand National meeting in April 2022, stakeholders raised some issues, including problems in relation to the exiting of the Racecourse following the event. Several meetings were subsequently held with various agencies and mitigation measures were put in place prior to the Gold Cup meeting in September 2022.

These included an expanded traffic management plan, and the limiting of pick up after the event from the front of the Racecourse. It can be confirmed that the measures implemented resulted in reduced number of issues raised at the Gold Cup in September.

We are continuing to work with Racecourse and stakeholders to improve on these arrangements, both for the local residents, and the event patrons.

4.2 **Environmental Health Services, South Ayrshire Council**

No adverse reports received.

4.3 **Scottish Fire & Rescue**

No adverse comments

4.4 **Police Scotland**

No adverse comments.

4.5 **Scottish Ambulance Service**

No adverse comments.

4.6 **St Andrew's Ambulance Corps**

No adverse 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 (6th edition) ("the Green Guide").
Safety Certificates for the Princess Royal and Eglinton Stands, Ayr Racecourse.

Author and Person to Contact

Hugh Talbot | Co-ordinator – Planning and Building Standards | Housing, Operations and Development | Hugh.talbot@south-ayrshire.gov.uk | Direct Line: 01292 616178

Date. 12th June 2023

South Ayrshire Council Equalities Scoping Template

1. Policy details

The 2023 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		Co-ordinator : Planning & Building Standards	
Date: 13/6/2023		Copy to equalities@south-ayrshire.gov.uk	

SOUTH AYRSHIRE COUNCIL

REPORT BY: Depute Chief Executive and Director of Housing, Operations and Development

**TO: REGULATORY PANEL - LICENSING
OF 22nd June 2023**

**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 2023, 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 2023, 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 The current Certificate is valid until 30th June 2023, 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 annual site inspection was made to Somerset Park on 12th May 2023. 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 2023. A further inspection will be scheduled by Building Standards to confirm that all necessary works are completed by the 14th July 2023.

4.1.2 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 Building Regulations and AUFC were informed that they would require to apply for a Late Building Warrant. I can now advice the panel that the acceptance of a completion certificate for the two stairs was issued on 2nd August 2022, and that these are now in full use during matches

4.1.3 Ayr Utd are currently in the process of carrying out major ground redevelopment works by the replacement of the Ally Macleod building in the north stand area of the ground. The proposal is for an all-seated stand with new hospitality areas to the rear. This work will also include the replacement of the existing turnstiles at the north end of Somerset Road and some additional car parking.

Planning permission has been approved and the required Building Warrants have been submitted. I can confirm that the demolition warrant for the Ally MacLeod suite has been issued and the works have commenced on site. The proposed completion date for the new stand is prior to the commencement of the 2024/25 football season.

The major development works of the new stand will require the closure of the North terracing area and associated turnstiles. This will therefore require a reduction in the existing ground capacity for a period to allow the works to be carried out safely. We are currently working with the Club and the safety officer in relation to the final ground capacity during the works, and I can confirm that this will be in place prior to the issuing of the safety certificate on the 1st July 2023.

It is currently envisaged that the ground capacity set on the 1st July 2023 will be in place for the full 2023/24 season. However, depending on the construction programme of the new stand, and the possibility of scheduled high-profile games (Scottish Cup), it might be necessary to increase the approved capacity during the season. As such, we would therefore bring a further report back to panel for approval of an amended safety certificate for any increased capacity required.

- 4.1.4 The newly constructed stand will have a capacity of over 500 seats along with some of the existing north area terracing, which will still be utilised in front of the stand. Once the development works are complete including the new stand, and after the acceptance of the Building Warrant completion certificate, a new safety certificate will be required to be issued which will set the final new ground capacity going forward.

4.2 Environmental Health Services, South Ayrshire Council

No adverse comments received

4.3 Scottish Fire & Rescue

No adverse comments received

4.4 Police Scotland

No adverse comments received

4.5 Scottish Ambulance Service

No adverse comments received

4.6 St Andrew's Ambulance Corps

No adverse comments received.

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.

8.1.2 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 (6th edition) (“the Green Guide”).
Safety Certificate for Somerset Park, Ayr.

Author and Person to Contact

Hugh Talbot | Co-ordinator – Planning and Building Standards | Housing, Operations and Development | Hugh.talbot@south-ayrshire.gov.uk | Direct Line: 01292 616178

Date. 12th June 2023

South Ayrshire Council Equalities Scoping Template

1. Policy details

The 2023 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

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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		Co-ordinator : Building Standards	
Date: 13/6/23		Copy to equalities@south-ayrshire.gov.uk	

SOUTH AYRSHIRE COUNCIL

REGULATORY PANEL

22 JUNE 2023

PRIVATE HIRE VEHICLE LICENCE

1. ZAMEN ALI MIRZAI

SOUTH AYRSHIRE COUNCIL

REGULATORY PANEL

22 JUNE 2023

PUBLIC ENTERTAINMENT LICENCE

1. M & M THEATRICAL PRODUCTIONS LTD

SOUTH AYRSHIRE COUNCIL

REGULATORY PANEL

22 JUNE 2023

SECOND HAND DEALER LICENCE

1. FONE EXPERTS – USMAN ALI
2. HOT SPOT – ANJUM SOHAIL
3. MOBILE DOCTOR – ANJUM SOHAIL

SOUTH AYRSHIRE COUNCIL

REGULATORY PANEL

22 JUNE 2023

STREET TRADER LICENCE

1. ROBERT BERGEN

SOUTH AYRSHIRE COUNCIL

REGULATORY PANEL

22 JUNE 2023

SHORT TERM LETS LICENCE

1. 9 Seafield Drive, Ayr
2. 17 Seafield Drive, Ayr