

SOUTH AYRSHIRE LICENSING BOARD.

Minutes of a hybrid webcast meeting held on 23 November 2023 at 10.00 a.m.

Present: Councillors William Grant (Chair), Laura Brennan-Whitefield, Martin Kilbride, Bob Pollock and Gavin Scott.

Present
Remotely: Councillor Lee Lyons

Apology: Councillor Duncan Townson

Attending: K. Briggs, Service Lead – Legal and Licensing and Depute Clerk to the Board; L. McChristie, Co-ordinator, Licensing and Depute Clerk to the Board; C. Andrew, Licensing Standards Officer; J. McClure, Committee Services Lead Officer; L. Russell, Committee Services Officer; and E. Moore, Committee Services Assistant.

Also
Attending: Inspector I McColl, Police Scotland

Opening Remarks

The Chair welcomed everyone to the meeting, outlined the procedures for conducting this meeting and advised that it would be broadcast live.

1. Declarations of Interest

There were no declarations of interest by Members of the Board in terms of the Councillors' Code of Conduct.

2. Date of Next Board Meeting

The Chair advised that the next Board meeting would be held on Thursday 11 January 2024 at 10.00 a.m.

3. Minutes of Previous Meeting

The **Minutes** of the Meeting of South Ayrshire Licensing Board of 26 October 2023 ([issued](#)) were submitted.

Decided: to approve the Minutes of the previous meeting.

4. Update by Licensing Standards Officer

The Licensing Standards Officer

- (1) referred to the 'seasonal variations' section of the Operating Plan and confirmed that most 'on sales' premises would have the opportunity to decide if they wished to extend their core hours during the month of December to allow an additional hour trading. Whilst operators could choose 'on the night' if they wished to take advantage of this, premises had been asked to advise in advance if they had plans to use this on specific nights, so that this information could be fed into the policing plan and other associated organisations;

- (2) commented on the valuable work carried out not only by Police Scotland but also partner agencies and volunteers such as the Street Pastors and First Responders who assisted to keep people safe whilst enjoying a night out and ensured they were able to get transport home. Much of this work was supported by the Violence Reduction Joint Action Group, on which Licensing was actively represented; and
- (3) advised that the recent Licensing Staff Training session held in Ayr Town Hall had been very successful with 115 people signed in on the day. This was the maximum number that could be accommodated at the session and represented both on and off sales premises. The training covered the 16 specific points required by legislation and whilst some attendees had already completed training via a personal licence holder at their work, all who completed the feedback forms advised that they had learned something new and many commented that it had been a useful update and reminder. The large attendance and extremely positive feedback showed the need for training and the response from the local trade to a free event which assisted them to comply with the requirements. One of the most interesting points in the feedback was that all attendees agreed that they preferred an interactive and in-person training session to an online alternative. For this reason, it was proposed that another training day, perhaps this time in the Carrick area to offer further opportunity to ensure all staff were trained in the required subjects. The only cost to run the session was officers time and the training materials were devised by the LSO. This would be a good use of time as it was an opportunity to get a consistent message across to a large number of people and ultimately should prevent the use of enforcement. If the Board was agreeable, a training day could be organised in late January/early February after the busy festive season.

The Chair

- (a) acknowledged the joint approach and work carried out by those involved to keep South Ayrshire safe; and
- (b) thanked the Licensing Standards Officer and the Local Licensing Forum for the work undertaken on the recent training session and welcomed the arrangement of another training session. It was recommended that the next training session take place at Maybole Town Hall in order to showcase the refurbishment that had taken place.

The Board

Decided: to note the Licensing Standards Officer's update.

5. **Revocation of Personal Licences**

There was submitted a report ([issued](#)) of 9 November 2023 by the Clerk to the Licensing Board advising of the revocation of nine Personal Licences.

The Board

Decided: to note the revocation of nine Personal Licences since the last Board meeting.

Variation in Order of Business

The Panel agreed to vary the order of business as hereinafter minuted.

6. **Licensing (Scotland) Act 2005**

(e) **Application for Personal Licence (Members Only)**

The Board considered the following application:-

Applicant

Callum Docherty

Application Number

SA/23/00114/LAPRS

The Board heard from Police Scotland and from the applicant, Callum Docherty in response in relation to his application.

The Board

Decided: to refuse this application for a Personal Licence on the grounds that, in their opinion, the applicant was not a fit and proper person to be a holder of a personal licence.

7. **Applications for Occasional Licences and Extended Hours for the Festive Period**

There was submitted a report ([issued](#)) of 9 November 2023 by the Clerk to the Licensing Board seeking approval to grant occasional licences and extended hours applications which were outwith Board Policy during the whole month of December 2023 and 1 January 2024 where there were no adverse comments from the Licensing Standards Officer.

The Board

Decided:

- (1) to note the terms of the Report; and
- (2) to instruct the Clerk to deal with applications for occasional licences or extended hours for December 2023 and 1 January 2024 which were outwith Board Policy and to grant delegated powers to the Clerk to grant such applications subject to there being no adverse comments from the Licensing Standards Officer.

8. **Licensing (Scotland) Act 2005**

(a) **Application for Variation**

The Board considered the following applications:-

Applicant

- (1) Ayrshire Pubs Limited

Premises

Scruffy Duffys
111 Main Street
Prestwick

To amend on-sales licenced hours to commence at 12.00 noon and terminate at 02.30 on Fridays and Saturdays.

To amend on-sales licensed hours to terminate at 00:30 on Sundays.

To amend off-sales licensed hours on Fridays and Saturdays to commence at 12:00 noon.

To change the name of Premises from “Scruffy Duffys” to “One Eleven”.

The Board, having heard from the Licensing Standards Officer and the applicant,

Decided: to grant the above application.

Applicant

Premises

(2) Tesco Stores Limited

Tesco Express
99 Main Street
Prestwick

To remove restaurant facilities from the Operating Plan and increase off-sales capacity from 29.368sqm to 36.3sqm. Redistribution of display fixtures and general refurbishment.

It was noted that there were no restaurant facilities at these premises as stated in the paper and that there was no application for a change to licensing hours.

The Board, having heard from the Licensing Standards Officer and the applicant,

Decided: to grant the above application.

(b) Application for Extended Hours

The Board considered the following applications:-

Applicant

Premises

Crooksmoss Bowling Club

Crooksmoss Bowling Club
Glenmuir Place
Ayr

Hogmanay – 31/12/2023 (00:00 to 01:30)

Having heard from the Licensing Standards Officer and from the applicant, the Board granted the above application.

Applicant

Premises

Chris Morrison

Number Forty-Seven
47 Templehill
Troon

Winterstorm Rock Festival – 23/11/2023 (02:30 – 03:30)

Having heard from the Licensing Standards Officer and from the applicant, the Board granted the above application.

(c) Unpaid Fees – Premises Licence Reviews (Under Section 14 (2))

Having heard from the Licensing Standards Officer, it was noted that at today's date only three of the premises listed in the report had outstanding unpaid fees and only one of these was actively trading. These were:-

Applicant

SXA Retail Ltd

Oxana Nazarenko

Muir Fulton

Premises

Links
11 Templehill
Troon

The West Coast House
27 Knockcushan Street
Girvan

Redstone Inn
92 Main Road
Whitletts
Ayr

For these premises the Board decided to continue the review hearings until the Board meeting in January 2024 in order to allow the premises reviews to be heard. In addition, for the one premises, which is currently trading, the Board decided to allow the continuation of trading until the January meeting, under the proviso that the premises were visited by the Licensing Standards Officer and Police Scotland.

(d) Premises Licences Ceasing to Exist

The Board noted that the following licences have now ceased to exist as the licences had been surrendered:-

- (1) Prestwick Indoor Bowling, Bellevue Road, Prestwick – Premises sold 01.08.23, no application for transfer received.

The Board

Decided: to note the Premises Licence ceasing to exist.

9. Closing Remarks

The Chair thanked everyone in attendance and concluded the meeting.

The meeting ended at 10.51 a.m.