

**Application for Provisional Premises Licence**

<b>Applicant</b>	<b>Premises</b>		
1. Lewis Boyd	The Swan Restaurant 20 Portland Street Troon		
On Sale	Every Day	10:00 – 00:30	
Off Sale	Every Day	10:00 – 22:00	



Bòrd-ceadachaidh-Siorrachd-Àir-a-Deas

**REPORT BY THE CLERK TO THE  
LICENSING BOARD OF 8 FEBRUARY 2023**

<b>SUBJECT: APPLICATION FOR PROVISIONAL PREMISES LICENCE</b>	<b>THE SWAN RESTAURANT 20 PORTLAND STREET TROON</b>
<b>APPLICANT</b>	<b>LEWIS BOYD</b>

**APPLICATION REPORT**

**1. Background:**

An application for a provisional premises licence for a restaurant and bar with off sale facility on the ground floor.

The hours of operation requested are on sales 10:00 to 00:30 every day and off sale 10:00 to 22:00 every day. The applicant also requests an additional hour to on sales during the period 1<sup>st</sup> December to 2<sup>nd</sup> January.

The applicant intends to provide conference and restaurant facilities, bar meals, receptions, club meetings, recorded music and live performances.

Children and Young People will be permitted on the premises until the end of Core Hours for the purpose of having a meal, attending a function or for work purposes.

The premises were previously licensed for on sales with that licence being surrendered on 18<sup>th</sup> July 2014.

The application requests a capacity of 50 persons.

**2. Reports**

There have been no objections or representations from the public.

Police Scotland have submitted a representation – Appendix 3

A Section 50 certificate from Planning has been lodged along with the application and further section 50 certificates will be required from Building Standards and Environmental Health before any licence can be confirmed.

The applicant has provided a disabled access and facilities statement -Appendix 1.

The applicant has provided details of how they will meet the licensing objectives – Appendix 2.

### 3. Board Options

The Board should establish what it considers to be locality. Generally, in this area the Board has considered a radius of 300 metres. The premises in that area are:-

<b>Address</b>	<b>Capacity</b>
The Fox 18 West Portland Street Troon	137 persons
Lido 11-17 West Portland Street Troon	210 persons
Nisa Day To Day 16 West Portland Street Troon	34.68m2
Maharani 42-46 West Portland Street Troon	60 persons
Morrisons Dukes Road Troon	187.84m2
Anchorage Hotel 149 Templehill Troon	288 persons
Number 47 47 Templehill Troon	120 persons
Links 11 Templehill Troon	95 persons
The Jar 33 Ayr Street Troon	28.08m2
Brodies Deli 39 Ayr Street Troon	2m2
3 Idiots 39 Portland Street Troon	55 persons
Spar 12/14 Portland Street Troon	38.99m2
Blueberrys 3 South Beach Troon	36 persons
Lonsdale 15 Portland Street Troon	96 persons
Tinto Tapas 10 Portland Street Troon	74 persons
Girvans 66 Portland Street Troon	70 persons
Dan McKay's 71 Portland Street Troon	80 persons

The Board must, in considering and determining the application consider whether any of the grounds for refusal applies and-

- (A) if none of them applies, the Board must grant the application, or
- (B) if any of them applies, the Board must refuse the application.

The grounds for refusal are—

- (a) that the subject premises are excluded premises. Excluded premises are defined as premises used as a garage or which form part of premises which are so used. Premises are used as a garage if they are used for one or more of the following-
  - (b) the sale by retail of petrol or derv
  - (c) the sale of motor vehicles, or
  - (d) the maintenance of motor vehicles

However, premises used for the sale by retail of petrol or derv, or which form part of premises so used, are not excluded premises if persons resident in the locality in which the premises are situated are, or are likely to become , reliant to a significant extent on the premises as the principal source of –

- (i) petrol or derv, or
- (ii) groceries (where the premises are, or are to be, used also for the sale by retail of groceries).

(C) that the application must be refused under section 25(2), 64(2) or 65(3),

(D) that the Licensing Board considers that the granting of the application would be inconsistent with one or more of the licensing objectives,

(E) that, having regard to—

- (i) the nature of the activities proposed to be carried on in the subject premises,
- (ii) the location, character and condition of the premises, and
- (iii) the persons likely to frequent the premises,

the Board considers that the premises are unsuitable for use for the sale of alcohol,

(e) that, having regard to the number and capacity of—

(i) licensed premises, or

(ii) licensed premises of the same or similar description as the subject premises,

in the locality in which the subject premises are situated, the Board considers that, if the application were to be granted, there would, as a result, be overprovision of licensed premises, or licensed premises of that description, in the locality.

**Person to Contact:**

Laura McChristie  
Depute Clerk  
County Buildings  
Wellington Square, Ayr  
Telephone (01292) 612475  
Date 25<sup>th</sup> January 2024.



**Question 3**

**Facilities available**

Please describe in detail the facilities provided for disabled people. e.g. disabled toilets, lifts, accessible tables.

There is a disabled toilet fitted with handrails and an alarm.  
The tables are all at an accessible height for customers.

**Question 4**

**Other provisions**

Please provide details of any other provisions made to aid the use of the premises by disabled people. e.g. assistance dogs welcome, large print menus.

Assistance dogs are welcome.

MEETING THE LICENSING OBJECTIVES  
The Swan Restaurant

**Preventing Crime and Disorder**

1. Strict anti-drug policy will be enforced
2. Toilets will be checked on a regular basis
3. Glasses and bottles collected on a regular basis
4. Proof of age scheme whereby anyone appearing to be under 25 will be required to produce I.D. (passport, driving licence or young Scot/PASS approved id card)
5. Active membership of pubwatch scheme

**Preventing Public Nuisance**

1. All inner doors and windows will be kept shut during the provision of live music after 10pm
2. Signs placed at customer exits reminding customers to leave quietly, if open after 10pm
3. A licensed taxi service can be contacted in the event customers require onward transportation
4. No bottles or rubbish to be put in outside bins after 22.00 hours
5. Regular inspection and cleaning of outside area.

**Securing Public Safety**

1. The premises has in place procedures for :
  - entry and exit control
  - evacuation procedures
  - accident / incident reporting and recording
2. Daily inspections are undertaken and recorded to check
  - all exit routes and signage
3. There are appropriate fire extinguishers in the premises
4. All members of staff are provided with appropriate training and supervision to assist in securing customers safety.

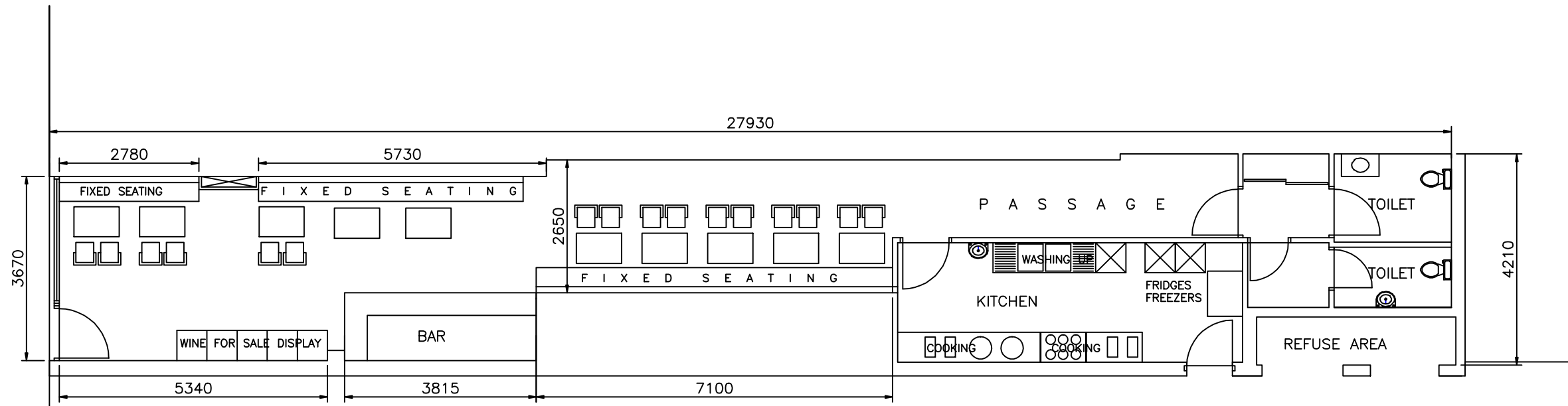
**Protecting and Improving Public Health**

1. Posters will be displayed containing sensible drinking messages
2. All members of staff are trained to be aware of the risks of excessive consumption of alcohol and when to refuse service.
3. A wide selection of non-alcoholic drinks are available
4. Our menu will include healthier options to allow customers to make informed choices about their food.

**Protection of Children from Harm**

1. Only children accompanied by an adult will be allowed on the premises
2. No adult entertainment is provided on the premises.
3. Careful monitoring of the consumption of alcohol by guardians will be undertaken

P O R T L A N D S T R E E T



PROPOSED GROUND FLOOR PLAN 1/100

**LEGEND**

- GENERAL FIRE ACTION NOTICE [
- STAFF FIRE ACTION [
- KEEP LOCKED SHUT NOTICE [
- EMERGENCY LIGHTING (
- SMOKE DETECTOR (
- HEAT DETECTOR (
- DRY POWDER EXTINGUISHER '
- FOAM EXTINGUISHER '
- WATER EXTINGUISHER '
- CARBON DIOXIDE EXTINGUISHER '
- FIRE BLANKET [
- FIRE ALARM CALL POINT [
- FIRE ALARM SOUNDER '
- ILLUMINATED EXIT SIGN [

PROJECT  
20 PORTLAND STREET  
TROON  
KA10 6EA

TITLE  
PREMISES PLAN

SCALE	1:100		
DATE	JOB NO.	DRG NO.	R
13/6/23			
Drawn by	Passed by	Issued for	