

## **SOUTH AYRSHIRE LICENSING BOARD.**

Minutes of a hybrid webcast meeting held on 8 February 2024 at 10.00 a.m.

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

Present

Remotely: Councillor Laura Brennan-Whitefield.

Apologies: Councillors Lee Lyons and 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; R. Anderson, Committee Services Assistant; and E. Moore, Clerical Assistant.

### **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 7 March 2024 at 10.00 a.m.

#### **3. Minutes of Previous Meeting**

The [Minutes](#) of the Meeting of South Ayrshire Licensing Board of 11 January 2024<sup>3</sup> (issued) were submitted.

**Decided:** to approve the Minutes of the previous meeting.

#### **4. Update by Licensing Standards Officer**

The Licensing Standards Officer advised

- (1) that the recent weather had proved challenging for encouraging customers to visit licensed premises which had resulted in a number of premises creating successful themed events and activities and taking the opportunity to introduce new menus and ideas;
- (2) that some on-sales premises had decided to condense opening hours and reduce trading days to take advantage of the optimum trading times and allow all staff to have the same days off to promote a more positive working environment and prevent paying additional energy costs;

- (3) that some premises in South Ayrshire were currently closed temporarily for either a post-Christmas break, were for sale or were under renovation; and that a number of new operators had come to South Ayrshire in the past few months investing in existing premises;
- (4) that with a number of significant events taking place in the area over the next few months such as the Scottish Grand National, the Pavilion Festival and the Open Golf Championships, the Licensing Service were currently working with those involved and surrounding premises to ensure that the liquor licence applications were received timeously and that they represented the needs of the event, lessened impact on the community and adhered to the Board's policy; and
- (5) that a number of applications over the next few months ranging from occasional licences to variations had been developed as a result of discussion and consultation with her and the Licensing Team and that the opportunity to provide information and guidance in relation to this had been welcomed.

The Chair advised that the Board appreciated that the winter months were challenging for licensed premises and was aware of the additional operating costs this year, however, the Board had recently updated its Statement of Licensing Policy and was open to considering variations to allow licence holders to maximise the use of their premises.

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

## 5. **Revocation of Personal Licences**

There was submitted a [report](#) (issued – Members only) of 25 January 2024 by the Clerk to the Licensing Board advising of the revocation of fourteen Personal Licences.

The Board

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

## 6. **Applications for Transfers Granted Under Delegated Powers**

There was submitted a [report](#) (issued) of 25 January 2024 by the Clerk to the Licensing Board advising of the following determination of applications for the Transfer of Licences between the last Board meeting and this Board:-

- (1) 2/4 Lawson Street, Ayr – transferred to Swinton LIC Ltd on 21 December 2023;
- (2) Abbotsford Hotel, 14 Corsehill Road, Ayr – transferred to Southern Ayr Ltd on 21 December 2023;
- (3) Smokehouse, 1B Alloway Place, Ayr – transferred to Firm of Ayr India on 11 January 2024;
- (4) Pro Soccer, Glenmuir Place, Ayr - transferred to Shoot Soccer Limited on 12 January 2024;
- (5) No. 8 Bar and Grill, 8-10 Fullarton Street, Ayr – transferred to M.E.T. Corporate Ltd on 17 January 2024;
- (6) Spar, 124 St Quivox Road, Prestwick – transferred to Local Convenience Hub Ltd on 23 January 2024;

- (7) Venue 38, 38A Carrick Street, Ayr – transferred to Onayr Media CIC on 22 January 2024; and
- (8) 112-114 Main Street, Prestwick – transferred to Melli Limited on 25 January 2024.

The Board

**Decided:** to note the transfers granted under delegated powers.

**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.

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

(a) **Personal Licence Review Under Section 83(7) of the Licensing (Scotland) Act 2005 – Lewis Dunlop Boyd**

There was submitted a letter from Police Scotland (issued to Members only) dated 17 January 2024 advising the Board of convictions accrued by Lewis Dunlop Boyd; and a report (issued to Members only) by the Clerk to the Licensing Board dated 31 January 2024 outlining the options open to the Board on considering this review.

Having heard from the Depute Clerk to the Board, the Board agreed that the grounds for the Review had been met and, therefore, agreed to hear the terms of the Review.

The Board then heard from Police Scotland in relation to the reasons for requesting this Review and from the licence holder and, following questions, adjourned for consideration of this matter.

Upon reconvening, the Board, having outlined its concerns at the licence holder’s poor judgement and decision making and his lack of awareness,

**Decided:** to revoke the licence currently held by Lewis Boyd for the purposes of the licensing objectives preventing crime and disorder and securing public safety; and as he was not a fit and proper person to hold the licence.

(b) **Application for the Grant of a Provisional Premises Licence**

The Board considered the following application:

<b><u>Applicant</u></b>	<b><u>Premises</u></b>
Lewis Boyd	The Swan 20 Portland Street Troon

The Board first considered the issue of locality for the purposes of this application and decided (with the agreement of the applicant) that 300m of the applicant premises would be the appropriate locality for consideration of this application.

The core hours sought:

On Sale Every Day 10:00 – 00:30

Off Sale Every Day 10:00 – 22:00

Having heard from the applicant, the Board

**Decided:** to grant the above application.

**(c) Application for Extended Hours**

The Board considered the following application:-

**Applicant**

The Ghillie Dhu Limited

**Premises**

The Ghillie Dhu  
11 Burns Statue Square  
Ayr

Superbowl Final 2024 – 11 February 2024 – 1.00 a.m. to 3.30 a.m.

Having heard from the Licensing Standards Officer and from the applicant's representative, the Board

**Decided:** to grant the above application.

**(d) Applications for Occasional Licences.**

The Board considered the following applications:

**Applicant**

(1) Samantha Finnie

**Premises**

Pavilion Food Village and Bar  
Ayr Pavilion  
Pavilion Road  
Ayr

Food led with alcohol day to day service – 29/03/24 to 11/04/24 – on-sale from 10.00 a.m. to 10.00 p.m.

(2) Samantha Finnie

Pavilion Food Village and Bar  
Ayr Pavilion  
Pavilion Road  
Ayr

Food led with alcohol day to day service – 12/04/24 to 25/04/24 – on-sale from 10.00 a.m. to 10.00 p.m.

<u>Applicant</u>	<u>Premises</u>
(3) Samantha Finnie	Pavilion Food Village and Bar Ayr Pavilion Pavilion Road Ayr
Food led with alcohol day to day service – 26/04/24 to 09/05/24 – on-sale from 10.00 a.m. to 10.00 p.m.	
(4) Samantha Finnie	Pavilion Food Village and Bar Ayr Pavilion Pavilion Road Ayr
Food led with alcohol day to day service – 10/05/24 to 23/05/24 – on-sale from 10.00 a.m. to 10.00 p.m.	
(5) Samantha Finnie	Pavilion Food Village and Bar Ayr Pavilion Pavilion Road Ayr
Food led with alcohol day to day service – 24/05/24 to 06/06/24 – on-sale from 10.00 a.m. to 10.00 p.m.	
(6) Samantha Finnie	Pavilion Food Village and Bar Ayr Pavilion Pavilion Road Ayr
Food led with alcohol day to day service – 07/06/24 to 20/06/24 – on-sale from 10.00 a.m. to 10.00 p.m.	

Having heard from the Licensing Standards Officer and from the applicant in response, the Board

**Decided:** to grant applications (1) to (6) above subject to the following conditions:

- (a) that delegated powers be granted to the Depute Clerk to grant future successive Occasional Licence applications, provided they mirror the original applications;
- (b) that the applicant be instructed that if any changes are proposed for the use of the area (such as the introduction of live music) that this must be highlighted on future applications to allow it to be considered;
- (c) that a condition be added to the Occasional Licence to state that 'All staff must be trained in accordance with the Licensing (Training of staff) (Scotland) Regulations 2007'; and
- (d) that a condition be added to the Occasional Licence to state the area utilised must be covered by CCTV.

8. **Gambling Act 2005**

(a) **Application for Bingo Premises Licence**

**Applicant**

Merkur Slots UK Ltd

**Premises**

Merkur Slots  
244-246 High Street  
Ayr

Having heard from the Depute Clerk to the Board and from the applicant's representative, the Board

**Decided:** to grant the above application.

9. **Closing Remarks**

The Chair thanked everyone in attendance and concluded the meeting.

The meeting ended at 11.35 a.m.