

## **SOUTH AYRSHIRE LICENSING BOARD.**

Minutes of a hybrid webcast meeting held on 7 March 2024 at 10.00 a.m.

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

Apology: Councillor Lee Lyons.

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; and J. McClure, Committee Services Lead Officer.

### **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 18 April 2024 at 10.00 a.m.

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

The [Minutes](#) of the Meeting of South Ayrshire Licensing Board of 8 February 2024 (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 there were Mandatory Conditions attached to a premises licence which detailed what could be described as an 'irresponsible drinks promotion' and the requirement to comply with the 'minimum pricing' requirements;
- (2) that this meant that any reduction in alcohol prices must remain constant for 72 hours (3 full trading days) and the price must not go below the minimum cost of 50p per unit of alcohol;
- (3) that, when off-sales provided reduced alcohol prices on products that were reaching a use by date or which were 'end of line' clearance, sometimes the minimum pricing requirement was not met and this could be a particular challenge when premises were part of a larger organisation with shops in both Scotland and England where the pricing requirements were different; and that, for this reason she encouraged premises managers to be vigilant and aware of the requirements in relation to their individual store;

- (4) that she was aware of recent promotions in relation to on-sales premises where alcohol was being sold at a special price to celebrate a specific day (for Easter Sunday for example) and that, in this case it was important that premises made it clear that the price advertised was available for a minimum of 3 days;
- (5) that the mandatory conditions were national requirements for premises licences and were designed to protect and promote the licensing objectives; and that premises had always been encouraged to promote themselves on more than just their alcohol prices; and that with a large amount of investment and improvements in hospitality venues in South Ayrshire over the past 6 months in particular and indeed with many variations currently in the process, there were many choices for customers; and
- (6) that, for this reason, she encouraged Premises Managers to be aware of all promotions and, in particular, the advertising of these in relation to the likelihood to appeal to children and young people.

The Chair advised that the Board was aware of the challenging trading times that hospitality venues were currently facing and recognised the recent investment and upgrades to premises, however the licensing objectives and mandatory conditions must be complied with and the Board would expect any premises who continually breached these requirements to be brought to the attention of the Board.

Following a comment from a Board Member, the Licensing Standards Officer advised that “promotions” would be covered in any future Licensing Board training event.

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

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

There was submitted a [report](#) (issued – Members only) of 22 February 2024 by the Clerk to the Licensing Board advising of the revocation of twelve Personal Licences.

The Board

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

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

There was submitted a [report](#) (issued) of 22 February 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) Viva Garden, 61 Main Street, Prestwick – transferred to Gaik Keow on 6 February 2024; and
- (2) 114-116 Hillfoot Road, Ayr – transferred to RS Scot Limited on 8 February 2024.

The Board

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

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

(a) **Application for Variation of a Premises Licence**

The Board considered the following application:

**Applicant**

Shabaz Ahmad

**Premises**

Costcutter Barassie  
23 Lang Road  
Troon

	<b>Existing Licensed Hours</b>		<b>Proposed Licensing Hours</b>	
	<b>On Sales</b>	<b>Off Sales</b>	<b>On Sales</b>	<b>Off Sales</b>
Monday		10:00 – 22:00		10:00 – 22:00
Tuesday		10:00 – 22:00		10:00 – 22:00
Wednesday		10:00 – 22:00		10:00 – 22:00
Thursday		10:00 – 22:00		10:00 – 22:00
Friday		10:30 – 22:00		10:30 – 22:00
Saturday		10:30 – 22:00		10:30 – 22:00
Sunday		12:30 – 22:00		10:00 – 22:00

Change premises name from Barassie Day to Day to Costcutter Barassie  
Change to Sunday operating hours  
Permit recorded (background) music  
Nominate new premises manager

Having heard from the applicant, he confirmed the application for trading hours for a Friday and Saturday should be 10.00 to 22.00 hours and the reference to 1030 on Friday and Saturday was a typographical error and the Board

**Decided:** to grant the above application subject to the proposed licensing hours being every day from 10.00 to 22.00 hours.

(b) **Applications for Extended Hours**

The Board considered the following applications:-

**Applicant**

(1) M.E.T. Corporate Ltd

**Premises**

Skinny Malinky's  
7-9 Arthur Street  
Ayr

Easter Sunday – 31/03/24 – 2.30 a.m. to 3.30 a.m.

(2) M.E.T. Corporate Ltd

Skinny Malinky's  
7-9 Arthur Street  
Ayr

Pavilion Festival and May Bank Holiday – 04/05/24 to 05/05/24 – 2.30 a.m. to 3.30 a.m.

<b><u>Applicant</u></b>	<b><u>Premises</u></b>
(3) M.E.T. Corporate Ltd	Skinny Malinky's 7-9 Arthur Street Ayr
Scottish Grand National – 19/04/24 to 20/04/24 – 2.30 a.m. to 3.30 a.m.	

(4) M.E.T. Corporate Ltd	Skinny Malinky's 7-9 Arthur Street Ayr
May Bank Holiday – 26/05/24 – 2.30 a.m. to 3.30 a.m.	

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

**Decided:**

- (a) in relation to application (2) above, to grant this application subject to the relevant licences being granted for the Pavilion Festival; and
- (b) in relation to applications (1), (3) and (4) above, to grant these applications and to grant delegated powers to the Depute Clerk to the Board to grant any future applications for events of local and national significance up to 31 December 2024, provided there were no negative reports from Police Scotland or the Licensing Standards Officer.

<b><u>Applicant</u></b>	<b><u>Premises</u></b>
(5) Sprig Limited	Printhouse 154 High Street Nile Court Ayr
Rock the Nile – 30/03/24 – 2.30 a.m. to 3.30 a.m.	

(6) Sprig Limited	Printhouse 154 High Street Nile Court Ayr
Easter Sunday – 31/03/24 – 2.30 a.m. to 3.30 a.m.	

(7) Sprig Limited	Printhouse 154 High Street Nile Court Ayr
Scottish Grand National – 19/04/24 to 20/04/24 – 2.30 a.m. to 3.30 a.m.	

**Applicant**

**Premises**

(8) Sprig Limited

Printhouse  
154 High Street  
Nile Court  
Ayr

Pavilion Festival and May Bank Holiday – 04/05/24 to 05/05/24 – 2.30 a.m. to 3.30 a.m.

(9) Sprig Limited

Printhouse  
154 High Street  
Nile Court  
Ayr

May Bank Holiday – 26/05/24– 2.30 a.m. to 3.30 a.m.

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

**Decided:**

- (a) in relation to application (5) above, to grant this application;
- (b) in relation to applications (6), (7) and (9) above, to grant these applications and to grant delegated powers to the Depute Clerk to the Board to grant any future applications for events of local and national significance up to 31 December 2024 provided there were no negative reports from Police Scotland or the Licensing Standards Officer; and
- (c) in relation to application (8) above, to grant this application subject to the relevant licences being granted for the Pavilion Festival.

**Applicant**

**Premises**

(10) Ultimate Leisure (Scotland) Limited

Vinyl  
1-5 Arthur Street  
Ayr

New Venue Launch – 29/03/24 - 2.30 a.m. to 3.30 a.m.

(11) Ultimate Leisure (Scotland) Limited

Vinyl  
1-5 Arthur Street  
Ayr

Easter Sunday - 31/03/24 - 2.30 a.m. to 3.30 a.m.

(12) Ultimate Leisure (Scotland) Limited

Vinyl  
1-5 Arthur Street  
Ayr

Scottish Grand National – 19/04/24 to 20/04/24 - 2.30 a.m. to 3.30 a.m.

<b><u>Applicant</u></b>	<b><u>Premises</u></b>
(13) Ultimate Leisure (Scotland) Limited	Vinyl 1-5 Arthur Street Ayr
Private Ticketed Event - Celebrating a Turnover of £1billion – 26/04/24 - 2.30 a.m. to 3.30 a.m.	
(14) Ultimate Leisure (Scotland) Limited	Vinyl 1-5 Arthur Street Ayr
Pavilion Festival and May Bank Holiday – 04/05/24 to 05/05/24 - 2.30 a.m. to 3.30 a.m.	
(15) Ultimate Leisure (Scotland) Limited	Vinyl 1-5 Arthur Street Ayr
May Bank Holiday – 26/05/24 - 2.30 a.m. to 3.30 a.m.	

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

**Decided:**

- (a) in relation to application (10) above, to grant this application;
- (b) in relation to applications (11), (12) and (15) above, to grant these applications and to grant delegated powers to the Depute Clerk to the Board to grant any future applications for events of local and national significance up to 31 December 2024 provided there were no negative reports from Police Scotland or the Licensing Standards Officer;
- (c) in relation to application (13) above, to grant this application; and
- (d) in relation to application (14) above, to grant this application subject to the relevant licences being granted for the Pavilion Festival.

(c) Applications for Occasional Licences.

The Board considered the following applications:

<u>Applicant</u>	<u>Premises</u>
(1) Nan Li	Blairquhan Castle Straiton Maybole
Wedding – 05/04/24 to 06/04/24 – Friday 05/04/24 - 3.00 p.m. to midnight; Saturday 06/04/24 - noon to 1.00 a.m.	
(2) Nan Li	Blairquhan Castle Straiton Maybole
Wedding – 03/05/24 to 04/05/24 – Friday 03/05/24 - 3.00 p.m. to midnight; Saturday 04/05/24 - noon to 1.00 a.m.	
(3) Nan Li	Blairquhan Castle Straiton Maybole
Wedding – 24/05/24 to 25/05/24 – Friday 24/05/24 - 3.00 p.m. to midnight; Saturday 25/05/24 - noon to 1.00 a.m.	

Having heard from the Licensing Standards Officer, the Board

**Decided:** to grant applications (1) to (3) above; and to grant delegated powers to the Depute Clerk to the Board to grant any future applications with a terminal hour up to 1.00 a.m. until 31 December 2024.

A Board Member commented that by granting delegated powers to the Depute Clerk to the Board, this would streamline processes; and was only possible due to the excellent Licensing Team.

8. Closing Remarks

The Chair thanked everyone in attendance and concluded the meeting.

The meeting ended at 10.50 a.m.