

Application for Occasional Licence

Applicant	Premises	Event	Dates Requested	Times Requested
Morean Hamilton	The Thistle Vintage Bus Bar Urquhart Opticians 16 Miller Road Ayr	Launch Party for new and existing practice clients using a bus parked on Miller Road.	28 th September 2024	On Sale 10:00 – 16:00

The Thistle, Hurlford – Urquhart Opticians, Miller Road, Ayr
Occasional Licence Application – 28th September 2024
Report by Licensing Standards Officer

I refer to the Occasional Licence application made by a premises licence holder of 'The Thistle' in Hurlford who hold an East Ayrshire Premises Licence. The application is to cover the use of a 'Vintage Bus Bar' which it is proposed will be parked outside Urquhart Opticians on Saturday 28th September from 10am until 4pm for a promotional event.

Prior to lodging of this application, I was contacted by Morean Hamilton who is a personal licence holder that represents the applicant premises and who was aware of the unusual location of this application. Ms Hamilton wanted to discuss the application further and explain the purpose behind the use of the 'Vintage Bus'. As the proposal includes the use of 3 to 4 public parking spaces, I advised Ms Hamilton that she should contact Ayrshire Roads Alliance prior to further consideration of her proposal as the use of the 'space' proposed would involve 'adopting' parking bays and crossing a public footpath. Having been in touch with Ms Hamilton since the initial enquiry I am aware that Ayrshire Roads Alliance has since granted permission for the use of the parking bays.

The application is to permit the 'Thistle Vintage Bus Bar' (photo attached) to park outside the Urquhart Opticians premises at 16 Miller Road, Ayr to act as a dispensary for alcohol and soft drinks free of charge to those customers who have been invited to attend the launch of a new brand of spectacles. The theme of the promotional event is 'London' and therefore the business is keen to use the 'Vintage Bus Bar' to promote this and attract attention to the launch event.

In order to permit customers to take their alcohol from the Bus and go back into the opticians, it is my opinion as L.S.O. that the Occasional Licence will require to be granted for not only the premises at 16 Miller Road and the Bus but also the public footpath, the premises footpath and the premises garden as shown on the attached photographs. Whilst there will be the opportunity for customers to consume their drink on the Bus, the applicant also wants them to have the opportunity to take their drink back inside Urquhart Opticians where the buffet will be served. For this reason the licence must include the full area described above to ensure they do not breach the local Byelaw regarding an open container of alcohol in a public space. The applicant requests access for under 18's for the duration of the event and there is a variety of soft drinks on offer.

Miller Road is a mainly commercial area and there are no proposals for music or entertainment outside this venue and I therefore have no concerns in relation to the licensing objective 'Preventing Public Nuisance'. Additionally, although the bus will be parked at the roadside (in parking bays), all customers will enter and leave via the footpath and will not be near the road, I therefore have no concerns regarding the licensing objective 'Securing Public Safety'.

This application is unique and no similar applications for Occasional Licences have been considered by South Ayrshire Licensing Board since the introduction of the Licensing (Scotland) Act 2005. However since the Covid pandemic the Licensing Board has seen an

increase in the use of external drinking areas and has granted Occasional Licences for outdoor spaces for events. Unlike other applications it is not the intention of the applicant to encourage consumption outside the premises or the Bus, however customers may stand outside the premises with a drink on their way between these two areas.

The applicant and staff represent an experienced operator who holds a premises licence and who has had many successful events surrounding the 'Vintage Bus' all of which are generally in a park, garden or estate and not parked on a public road. Ms Hamilton has contacted both Ayrshire Roads Alliance and the Licensing Standards Officer prior to lodging the Occasional Licence application.

Although I have no objections regarding the licensing objectives, the grant of this application would in my view set a precedent for future applications in South Ayrshire and therefore I would request that it is considered at a Licensing Board meeting instead of being granted under delegated powers.

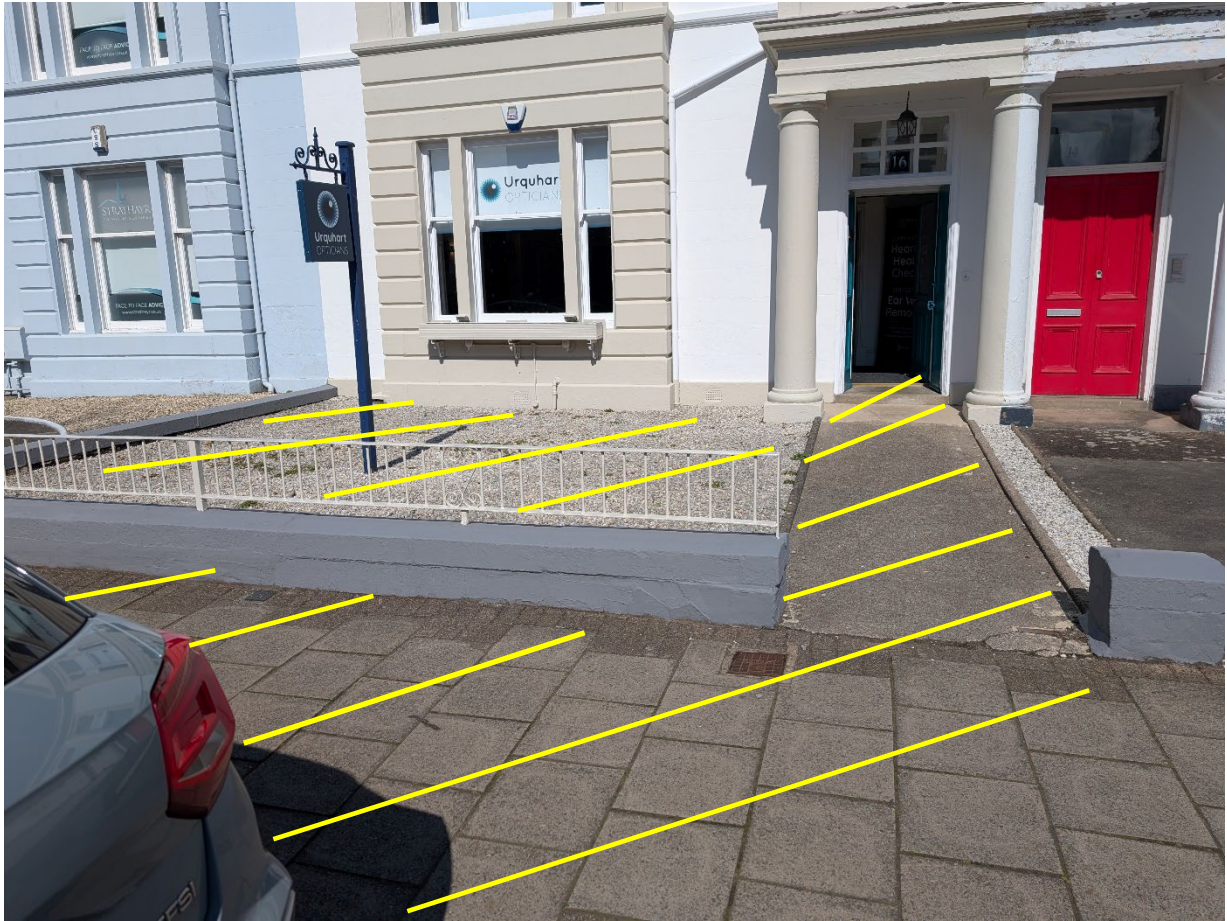
I would ask that if the Board were minded to grant this application, that they consider adding the following conditions to ensure compliance with the local byelaw and to remain consistent with other applications granted in South Ayrshire;

- 1- No glass is permitted in licensed area and drinks must be decanted into glass-alternative receptacles
- 2- Consumption of alcohol must not take place on the public footpath

Catrina Andrew
Licensing Standards Officer
4th September 2024



Photograph above shows 'The Vintage Bus' at an event



Photograph shows parking bay where Bus will be sited and indicates in yellow area of public footpath, path to premises and outside garden area which LSO proposes should be included in licensed area along with the Bus and Urquhart optician premises at 16 Miller Road, Ayr.



Photograph shows street view and location of application site