

SOUTH AYRSHIRE LICENSING BOARD.

Minutes of a meeting held remotely on 18 November 2021 at 10.00 a.m.

Present: Councillors Craig Mackay (Chair), Laura Brennan-Whitefield, Andy Campbell, Douglas Campbell, Ian Fitzsimmons, William Grant and Margaret Toner.

Apologies: Councillors Lee Lyons and Bob Pollock

Attending: M. Douglas, Depute Clerk to the Board; C. Andrew, Licensing Standards Officer; A. Nelson, Co-ordinator – Democratic and Governance and F. Maher, Temporary Committee Services Officer.

Also Attending: Chief Inspector Derrick Johnston, Police Scotland.

Opening Remarks

The Chair welcomed everyone to the meeting and requested the agreement of the Board to webcast all future Board meetings. The Board so concurred.

The Chair then outlined the procedures for conducting this meeting and advised that this meeting 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, 13 January 2022 at 10.00 a.m.

3. Minutes of Previous Meeting

The [Minutes](#) of the Meeting of South Ayrshire Licensing Board of 16 September 2021 (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 Covid Certification requirement was now in force for anyone attending premises which opened beyond 12 midnight, serve alcohol, have dancing and have music. This had had an impact on a number of later night operators, some of which had chosen to close prior to 12 midnight or to operate without music or a dance floor. For those operators who felt that they were unable to change their business model, the general opinion was that the Covid Certification requirement had undoubtedly had an impact with an estimated 50% drop in attendance when the mandatory checks had been introduced;

- (2) that some venues had reported being extremely busy or at capacity prior to 12 midnight with patrons favouring premises where no mandatory certification checks are in place. The result again therefore is that late night venues are the ones currently facing the most challenging trading times. This has also reportedly resulted in many patrons returning to house parties again. Many operators were concerned about the impact this may have on festive trading which is traditionally the most significant trading time for the hospitality trade;
- (3) that, with the most recent announcement that there would be a possibility that the Covid Certification requirements may be opened up to the entire hospitality trade in early December, the Trade were concerned about the sustainability of their business into 2022;
- (4) that staffing issues continued to be a significant challenge for the hospitality trade and visits had been made to premises to ensure all staff who were new to the trade had been trained as required;
- (5) additionally, that joint visits had been made with Police Scotland and South Ayrshire Council's Environmental Health Team to ensure licence holders had the support and information required and that premises were being run in accordance with the requirements, as the past year in particular had shown the significant benefits of joint working and this would continue into the festive period; and
- (6) that despite the obvious challenges the Trade had faced over the past year and a half, there were definitely positive signs for the future as Occasional Licence applications were steadily rising, both for new individual events and occasions and also for premises trading on a temporary basis. There was also an increase in the number of premises making applications to vary their premises licence to allow for an alteration to their business model or an investment and improvement in their facilities for the future.

The Board, having thanked the Licensing Standards Officer for her update,

Decided: to note the report.

5. **Revocation of Personal Licences**

There was submitted a [report](#) (issued) of 4 November 2021 by the Clerk to the Licensing Board advising the Board of revocation of personal licences.

Decided: to note the terms of the report.

6. **Occasional Licences for Hogmanay**

There was submitted a [report](#) (issued) of 4 November 2021 by the Clerk to the Licensing Board seeking approval to grant Occasional Licences beyond midnight on Hogmanay.

Decided:

- (1) to note the terms of the report; and
- (2) to instruct the Clerk to deal with applications for occasional licences for Hogmanay; and to grant delegated power to the Clerk to grant applications for the night of Hogmanay until 1.00 a.m. on 1 January 2022, notwithstanding that this was outwith Board policy.

7. Applications for Transfers Granted Under Delegated Powers

There was submitted a [report](#) (issued) of 4 November 2021 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) MacIntyres Bar, 11 Templehill, Troon - transferred to SXA Retail Limited on 15 September 2021;
- (2) Budd's Bar, Union Arcade, Ayr - transferred to Trusted Utilities SSAS on 24 September 2021;
- (3) Tempura, 13 Beresford Terrace, Ayr - transferred to West Coast Hospitality Ltd on 7 October.2021;
- (4) The Brig, 1 Main Street, Ayr - transferred to The Brig Bar (Ayr) Ltd on 14 October 2021; and
- (5) Horizon Hotel, Esplanade, Ayr - transferred to Apex Ayr Ltd on 2 November 2021;

Decided: to note the transfers granted under delegated powers.

8. Licensing (Scotland) Act, 2005

(a) Application for Provisional Premises Licence

The Board considered the following application:

Applicant

Narinder Singh Kooner

Premises

23 Adamton Road North
Prestwick

Retail Sale of Alcohol (Off Premises) – from 10.00 a.m. to 10.00 p.m.

Having heard from the Depute Clerk to the Board and the applicant's representative, the Board granted the above application.

(b) Application for Variation of a Premises Licence

The Board considered the following applications:

<u>Applicant</u>	<u>Premises</u>
(1) Trusted Utilities SSAS	Budd's Bar 6-7 Union Arcade Burns Statue Square AYR

Existing Licensed Hours

On-Sales

Monday	10.00 a.m. to 12.30 a.m.
Tuesday	10.00 a.m. to 12.30 a.m.
Wednesday	10.00 a.m. to 12.30 a.m.
Thursday	10.00 a.m. to 12.30 a.m.
Friday	10.00 a.m. to 12.30 a.m.
Saturday	10.00 a.m. to 12.30 a.m.
Sunday	10.00 a.m. to midnight

Off-Sales

10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.

Proposed Licensing Hours

On-Sales

Monday	10.00 a.m. to 12.30 a.m.
Tuesday	10.00 a.m. to 12.30 a.m.
Wednesday	10.00 a.m. to 12.30 a.m.
Thursday	10.00 a.m. to 12.30 a.m.
Friday	11.00 a.m. to 1.30 a.m.
Saturday	11.00 a.m. to 1.30 a.m.
Sunday	10.00 a.m. to 12.30 a.m.

Off-Sales

10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.

To amend terminal hour for on sales to 1.30 a.m. on Friday and Saturday.

To amend terminal hour for on sales to 12.30 a.m. on Sunday.

To amend the wording at Q4 to read "An additional hour to be added to the terminal hour during the festive period of 1 December – 2 January, as per the Board's guidelines."

To add outdoor drinking as an activity at Q5.

To add bar meals as an activity at Q5 during core hours.

To add receptions as an activity at Q5 during core hours.

To add club meetings as an activity at Q5 during core hours.

To add indoor sports as an activity at Q5 during core hours.

To amend the wording at Q5(f) to read "The premises may hold charity nights, quiz nights, psychic nights, theme nights, games nights and karaoke. There is also a gaming machine, pool table and jukebox on site that may be used by patrons."

To allow children & young persons access to the premises when accompanied by an adult for food until 10pm or to attend a family function until the end of the function.

Having considered a written submission from the applicant's representative, the Board granted the above application.

Applicant

Premises

(2) Mr Muir William Lawrie Fulton

Redstone Inn
92 Main Road
Whitletts
Ayr
KA8 0LJ

Additional outdoor drinking area on former car park.

Service of hot and cold food and non-alcoholic drinks from snack van from 6.00 a.m. and during core hours.

Children and young person's access.

Children and young persons permitted into the lounge area when accompanied by an adult when attending a function.

Children and young persons may be permitted into the lounge area unaccompanied between 8am and 4.30 p.m. to consume food purchased from snack van or to await food order.

Having heard from the applicant's agent and from the Licensing Standards Officer, the Board granted the above application subject to an amendment that unaccompanied children and young persons would not be admitted to the lounge area.

(3) Buzzworks Hospitality Limited

Vic's and The Vine
132 Main Street
Prestwick

Existing Licensed Hours

On-Sales

Monday 10.00 a.m. to 12.30 a.m.
Tuesday 10.00 a.m. to 12.30 a.m.
Wednesday 10.00 a.m. to 12.30 a.m.
Thursday Noon to 2.30 a.m.
Friday Noon to 2.30 a.m.
Saturday Noon to 2.30 a.m.
Sunday 11.00 a.m. to 1.30 a.m.

Off-Sales

10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.
Noon to 10.00 p.m.
Noon to 10.00 p.m.
Noon to 10.00 p.m.
11.00 a.m. to 10.00 p.m.

Proposed Licensing Hours

On-Sales

Monday 10.00 a.m. to 12.30 a.m.
Tuesday 10.00 a.m. to 12.30 a.m.
Wednesday 10.00 a.m. to 12.30 a.m.
Thursday Noon to 2.30 a.m.
Friday Noon to 2.30 a.m.
Saturday Noon to 2.30 a.m.
Sunday 11.00 a.m. to 1.30 a.m.

Off-Sales

10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.
Noon to 10.00 p.m.
Noon to 10.00 p.m.
Noon to 10.00 p.m.
11.00 a.m. to 10.00 p.m.

Inclusion of The Terrace Room (formerly described as "outside terrace room with canvas roof") within the main licensed area of the premises.

Having heard from the applicant, the Board granted the above application.

(c) **Application for the Grant of a Personal Licence**

The Board considered the following applications:-

<u>Application Number</u>	<u>Applicant</u>
(1) SA/21/00111/LAPRS	Sean Dempsey

In the absence of the applicant, the Board agreed to continue consideration of this application to the next Board meeting scheduled to be held on 13 January 2022, to allow the applicant to attend.

(2) SA/21/00121/LAPRS	James Michael McKenna
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The Board, having considered the recommendation by Police Scotland, and heard the applicant's response, refused this application based on Section 73(4) of the Licensing Scotland Act 2005 for the purposes of securing public safety and preventing public nuisance licensing objectives.

(d) **Applications for the Grant of an Occasional Licence**

The Board were asked to consider the following applications, however the Depute Clerk to the Board advised that the application for Dailly Community Centre had been withdrawn:

<u>Applicant</u>	<u>Premises</u>
(1) Allan McDowall	Dailly Community Centre 67 Main Street Dailly

Hogmanay Dance – 31/12/21 – 6.00 p.m. to 12.30 a.m.

The Board noted that the above application had been withdrawn.

(2) Nan Li	Blairquhan Castle Straiton
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Residential Stay for Adult Guests – 06/01/22 and 07/01/22 –
3.00 p.m. to 1.00 a.m.

Having heard from the applicant, the Board granted the above application.

(e) **Applications for Extended Hours**

The Board considered the following applications:

<u>Applicant</u>	<u>Premises</u>
(1) Shanter Inns Ltd.	Market Inn 2 Castlehill Road Ayr

Festive Period – 24 December 2021 to 1 January 2022 – 1.00 a.m. to 2.00 a.m.

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

(2) Shanter Inns Ltd.	Tam O'Shanter Inn 230 High Street Ayr
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Festive Period – 24 December 2021 to 1 January 2022 – 1.00 a.m. to 2.00 a.m.

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

(3) Shanter Inns (Prestwick) Ltd.	The Buff 36 Main Street Prestwick
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Festive Period – 1 December 2021 to 1 January 2022 – every Sunday to Thursday from 12.30 a.m. to 1.40 a.m.; and every Friday and Saturday from 2.30 a.m. to 3.30 a.m.

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

(f) **Premises Licences Ceasing to Exist**

The Board noted that the following licence had ceased to exist:

<u>Premises</u>	<u>Reason for Ceasing to Exist</u>
Malin Court Turnberry Road Maidens	Licence surrendered 11.11.2021 - now being used wholly as a care home

9. **Gambling (Scotland) Act 2005**

(a) **Gambling Premises Surrendered**

The Board noted that the following licences had been surrendered:

	<u>Premises</u>	<u>Date of Surrender</u>
(1)	Ladbrokes 72 High Street Maybole	13/04/21
(2)	Ladbrokes 2 Tams Brig Ayr	13/04/21

10. **Closing Remarks.**

The Chair thanked everyone in attendance and concluded the meeting.

The meeting ended at 11.10 a.m.