

Licensing (Scotland) Act 2005 – Premises Licence Update

**Update Report by Licensing Standards Officer  
The Carrick, 15 Whitehall, Maybole (17/00979/LAPREM)**

Premises Licence Holder: Michael Benny Lothian

Premises Manager: Sandi Graham

At the Licensing Board meeting of 10<sup>th</sup> March 2022 a premises licence review request made by Police Scotland regarding The Carrick in Maybole, was heard and as a result the premises were closed for a period of time to allow re-training of staff and the premises manager had his licence revoked. The Board at the time requested that an update report was submitted to the August licensing Board meeting so that it could be determined if the action taken as a result of the review had resulted in a positive change.

Since the premises re-opened there have been various ongoing staff changes and the premises manager has changed twice. The current premises manager is Sandi Graham who has advised that she has leased the premises from Donna Dunlop who is now only acting as the landlord and has no financial or management interest in the running of the premises. Additionally I am aware that Michael Lothian no longer works at the premises and has recently lodged an application to transfer the premises licence to Sandi Graham.

Initially after re-opening various visits were made to the premises by myself and officers from Police Scotland and a few different staff members took charge. The premises licence continued to be held by Michael Lothian but Donna Dunlop and family members became more involved in the running of the premises and a new premises manager was appointed in April 2022. However after difficulties with staffing and a few minor incidents the premises manager contacted me personally in May 2022 to advise that he no longer wanted to hold this position and was leaving the premises to work elsewhere.

An application was lodged on 7<sup>th</sup> June 2022 to transfer the premises licence to Donna Dunlop and to nominate Sandi Graham as the premises manager.

Having received a number of questions from Sandi Graham about permissions and future trading, I sent an email to Miss Graham on 28<sup>th</sup> June to clarify the information and guidance that she had been provided with and to suggest that she may wish to obtain independent legal advice.

I understand it was around this time that Sandi Graham agreed to lease the premises from Donna Dunlop and run the business herself. An application to transfer the premises licence to Sandi Graham is currently being considered.

Having visited the premises on 3<sup>rd</sup> August accompanied by PC Thornton from the Licensing Section at Police Scotland, I can confirm that Sandi Graham has been reminded of all requirements and specifically regarding the fire door to be unlocked during trading hours and the cupboards and rooms not covered by CCTV should be padlocked closed. Discussions have taken place surrounding staff training and the expectation that staff members should be confident enough to ask patrons to leave if/when required, to check ID (even from people they know) and clearly understand the operation of Challenge 25 and the need to monitor toilets

and CCTV. I noted there are currently 3 personal licence holders and 3 staff who have received the two hour in-house training.

Miss Graham advised that she is now in complete control of the social media page for the premises and would therefore ensure any advertising, videos or broadcasts would be checked before being shared online. Currently there is no food service in relation to the premises, although there has been a food franchise operating from the premises over the past few months and this may begin again in the future.

Miss Graham is aware that under 18's are not permitted on the premises under any circumstances (even to collect food) and that if the premises open beyond 9pm on a Friday or Saturday night there requires to be a licensed door steward on duty.

These are both things that Miss Graham would be keen to apply to change in future and she has been advised that a non-minor variation application would have to be considered at a Board meeting to allow this to happen.

In conclusion I can confirm that Sandi Graham is a new operator at these premises and will soon be both the premises licence holder and premises manager and therefore the circumstances have changed at the premises since the premises licence review earlier this year.

Catrina Andrew  
Licensing Standards Officer  
4th August 2022