

County Buildings
Wellington Square
AYR KA7 1DR
Telephone No. 01292 612169

15 August 2022

To:- Councillors Grant (Chair) Brennan-Whitefield, Ferry, Kilbride, Pollock, Scott and Townson.

Dear Councillor

SOUTH AYRSHIRE LICENSING BOARD

You are requested to participate in the meeting of the above Board to be held **on Wednesday, 24 August 2022 at 10.00 a.m.** for the purpose of considering the undernoted business.

This meeting will be held on a hybrid basis in County Hall for Elected Members with a remote option, and will be live-streamed and available to view at <https://south-ayrshire.public-i.tv/>

Please note that a briefing meeting will take place for all Board Members at 9.15 a.m., online and in the Prestwick Room.

Yours sincerely

CATRIONA CAVES
Clerk to the Licensing Board

B U S I N E S S

1. Declarations of Interest.
2. Date of Next Board Meeting – Wednesday 22 September 2022 at 10:00 a.m.
3. Minutes of previous meeting of Wednesday 15 June 2022.
(copy herewith)

4. Annual Functions and Financial Report – Submit report by Clerk to The Licensing Board (copy herewith). Pages 9 to 18
5. Report by Licensing Standards Officer.
6. Update on The Carrick, Maybole, as requested (copy herewith). Pages 19 to 20
7. Personal Licences Revoked – Submit report by Clerk to The Licensing Board (copy herewith). Pages 21 to 22
8. Premises ceasing to exist – Submit report by Clerk to The Licensing Board (copy herewith). Page 23
9. Transfers Granted Under Delegated Powers – Submit Report by Clerk to the Licensing Board (copy herewith). Page 24 to 25

10. **Licensing (Scotland) Act 2005**
 - (a) Applications for Provisional Premises Licence (copy herewith). Pages 26 to 30
 - (b) Application for Variation of Premises Licence (copy herewith). Pages 31 to 53
 - (c) **Application for Personal Licence (Members only).** Page 54
 - (d) Application for Occasional Licence (copy herewith). Page 55

11. Any Other Business.

For more information on any of the items on this agenda, please telephone Courtney Buchanan, Committee Services, at 01292 612169 at Wellington Square, Ayr or e-mail: courtney.buchanan@south-ayrshire.gov.uk
www.south-ayrshire.gov.uk

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SOUTH AYRSHIRE LICENSING BOARD.

Minutes of a hybrid webcast meeting held on 15 June 2022 at 10.00 a.m.

Present: Councillors Brennan-Whitefield, Ferry, Kilbride, Scott and Townson.

Apology: Councillors Grant and Pollock.

Attending: K. Briggs, Service Lead – Legal and Licensing and Depute Clerk to the Licensing Board; C. Andrew, Licensing Standards Officer; C McMenamin, Co-ordinator (Legal Services Litigation) Legal Services; Gordon Lauder, Team Leader (Environmental Health); C. Buchanan, Committee Services Officer; J. McClure, Lead Committee Services Officer; A. Gibson, Committee Services Officer and C. McCallum, Clerical Assistant.

Also Attending: Sergeant Sheryl Syme, Police Scotland.

Opening Remarks

The Depute Clerk to the Licensing Board welcomed everyone to the meeting and outlined the procedures for conducting this meeting and advised that this meeting would be broadcast live.

1. Appointment of Chair

The Depute Clerk to the Board invited nominations for the appointment of Chair of the Licensing Board.

Decided: unanimously, that Councillor Grant be appointed Chair of the Licensing Board.

The Depute Clerk to the Board then advised that, in the absence of Councillor Grant at today's meeting, the members of the Board present required to elect one of their members to act as Chair for today's meeting, and invited nominations.

Decided: unanimously, that Councillor Brennan-Whitefield be appointed as Chair for today's meeting.

Councillor Brennan-Whitefield then took the Chair.

2. Declarations of Interest

There were no declarations of interest by Members of the Board in terms of the Councillors' Code of Conduct.

3. Date of Next Board Meeting

The Chair advised that the next Board meeting would be held on Thursday 25 August 2022 at 10.00 a.m.

4. Scottish Grand National 2022 Report by Licensing Standards Officer

There was submitted a report (issued) of 21 May 2022 by the Licensing Standards Officer to the Licensing Board advising the Board of her experience of the Scottish Grand National Festival held on Saturday 2nd April 2022 at Ayr Racecourse. The Licensing Standards Officer gave a verbal update of her experience and recommended that;

- 1) Children and Young Persons access should be reviewed so that only patrons of 18 years and over are permitted access to such events.

- 2) The Board endorse a request for an Alcohol Management Plan to be provided by the Racecourse.
- 3) That an Occasional Licence for the Ayr Gold Cup in September is considered at a Board meeting rather than being granted under delegated powers.

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

Decided: to agree the recommended objectives set out by the Licensing Standards Officer with the addition of a site visit for Board Members to Ayr Racecourse. Members also requested a further update from the Licensing Standards Officer regarding Ayr Racecourse in August.

5. **Revocation of Personal Licences**

There was submitted a report (issued) of 1 June 2022 by the Clerk to the Licensing Board advising the Board of revocation of personal licences.

Decided: to note the terms of the report.

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

There was submitted a report (issued) of 1 June 2022 by the Clerk to the Licensing Board advising of the following determination of an application for the Transfer of a Licence between the last Board meeting and this Board:-

- (1) Anchorage Hotel, 147-149 Templehill, Troon - transferred to Troon Leisure Investments Ltd on 25 May 2022;

Decided: to note the transfer granted under delegated powers.

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

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

<u>Applicant</u>	<u>Premises</u>
Select Service Partner UK Limited	McIntryres Bar Prestwick International Airport Prestwick

Retail Sale of Alcohol (On Premises) – Monday to Saturday 08:00* a.m. – 00:30 a.m.
Sunday – 08:00* a.m. - 00:00 a.m.

Retail Sale of Alcohol (Off Premises) – Every day 10:00 a.m. to 22:00 p.m.

* Outwith Board Guidelines

The applicants intend to provide: - restaurant facilities, bar meals, receptions, club meetings, recorded music, live performances, gaming, indoor/outdoor sports, televised sport and outdoor drinking facilities.

Children and Young Persons will be allowed access to the premises during opening times. Children must be accompanied by a responsible adult at all times. Children aged under 14 will not be allowed access to the bar area.

The capacity requested is 303 and this has been agreed with Building Standards.

The Board considered the issue of locality for the purposes of this application and decided (with the agreement of the applicant's representative) that an appropriate locality for the purposes of the application would be 'Prestwick International Airport'.

Having heard from the applicant's representative and considered the other documentation lodged by the applicant's representative, the Board;

Decided: to grant the above application.

(b) Application for Variation of a Premises Licence

The Board considered the following applications:

<u>Applicant</u>	<u>Premises</u>
(1) CJ Lang And Son Limited	Spar 59-61 Montgomerie Street Tarbolton

Recorded music will take place outwith licensed hours
Add the wording: "Food to Go. Click & collect. Home Deliveries. National Lottery outlet. Sampling & promotional activities." to operating plan
Increase the capacity from 19.87m² to 22.08m²

Having heard from the applicant's representative, the Board;

Decided: to grant the above application.

<u>Applicant</u>	<u>Premises</u>
(2) CJ Lang And Son Limited	Spar 11 Boswell Park Ayr

Add to operating plan - Food to Go. Click & collect. Home Deliveries. National Lottery outlet. Sampling & promotional activities.
Increase the capacity from 15.6m² to 16.16m²

Having heard from the applicant's representative, the Board;

Decided: to grant the above application.

<u>Applicant</u>	<u>Premises</u>
(3) CJ Lang And Son Limited	Spar 136 Hillfoot Road Ayr

Capacity of alcohol display to increase from 26.969m² to 27.36m². Addition of gaming to cover National Lottery outlet. Prior to commencement of core hours, premises may open

for general trade. Primary activity undertaken in the premises is general retail. Charity collection point and charitable events take place. Food to Go. Click and Collect. Home Deliveries. Paypoint payment. National Lottery outlet. External automated cash machine. Sampling and promotional activities.

Having heard from the applicant's representative , the Board;

Decided: to grant the above application.

Applicant

Premises

(4) CJ Lang And Son Limited

Spar
15 Logan Drive
Troon

Amend operating plan to read - The premises may open for general trade prior to the commencement of core hours. Recorded music may be played, such as Spar Radio, prior to the commencement of core hours. This is background level only. National Lottery tickets/cards can be purchased prior to core hours."

To add Gaming as an activity to cover the use of the National Lottery outlet etc.

To amend the text at Q5(f) to read "The primary activity undertaken in the premises is the general retail sale of the following: Groceries; confectionery, bread & cakes, crisps/snacks, non-foods, toiletries, frozen & chilled foods, fruit/vegetables/flowers, news & magazines, toys, tobacco & cigarettes, beers/wines/spirits and other alcoholic products, non-alcoholic drinks. Charity collection point and charitable events take place. Food to Go. Click & collect. Home Deliveries. Paypoint payment. National Lottery outlet. External automated cash machine. Sampling & promotional activities."

Having heard from the applicant's representative , the Board;

Decided: to grant the above application.

Applicant

Premises

(5) CJ Lang And Son Limited

Spar Convenience Store
21-25 Mount Oliphant Crescent
Ayr

The premises may open for general trade prior to the commencement of core hours. Recorded music may be played, such as Spar Radio, prior to the commencement of core hours. This is background levels only. National Lottery tickets/cards can be purchased prior to core hours." The primary activity undertaken in the premises is the general retail sale of the following: Groceries; confectionery, bread & cakes, crisps/snacks, non-foods, toiletries, frozen & chilled foods, fruit/vegetables/flowers, news & magazines, toys, tobacco & cigarettes, beers/wines/spirits and other alcoholic products, non-alcoholic drinks. Charity collection point and charitable events take place. Food to Go. Click & collect. Home Deliveries. Paypoint payment. National Lottery outlet. External automated cash machine. Sampling & promotional activities.

Having heard from the applicant's representative , the Board;

Decided: to grant the above application.

Applicant

(6) CJ Lang And Son Limited

Premises

Spar Convenience Store
12/14 Portland Street
Troon

Add gaming as an activity during core hours

Amend and add the following wording - The premises may open for general trade prior to the commencement of core hours. Recorded music may be played, such as Spar Radio prior to the commencement of core hours. This is background level only. National Lottery tickets/cards can be purchased prior to core hours.

Amend and add the following wording - The primary activity undertaken in the premises is the general retail sale of the following: Groceries; confectionery, bread & cakes, crisps/snacks, non-foods, toiletries, frozen & chilled foods, fruit/vegetables/flowers, news & magazines, toys, tobacco & cigarettes, beers/wines/spirits and other alcoholic products, non-alcoholic drinks. Charity collection point and charitable events take place. Food to Go. Click & collect. Home Deliveries. Paypoint payment. National Lottery outlet. External automated cash machine. Sampling & promotional activities.

Having heard from the applicant's representative , the Board;

Decided: to grant the above application.

Applicant

(7) CJ Lang And Son Limited

Premises

Spar Convenience Store
21 Carradale Drive
Prestwick

Add gaming as an activity during and outwith core hours (to cover the use of the National Lottery outlet etc)

The premises may open for general trade prior to the commencement of core hours. Recorded music may be played, such as Spar Radio prior to the commencement of core hours. National Lottery tickets/cards can be purchased prior to core hours.

The primary activity undertaken in the premises is the general retail sale of the following: Groceries; confectionery, bread and cakes, crisps/snacks, non-foods, toiletries, frozen and chilled foods, fruit/vegetables/flowers, news and magazines, toys, tobacco and cigarettes, beers/wines/spirits and other alcohol products, non-alcoholic drinks. Charity collection point and charitable events take place. Food to Go. Click and collect. Home Deliveries. Paypoint payment. National Lottery outlet. External automated cash machine. Sampling and promotional events.

Amend capacity from 20.56m2 to 22.18m2.

Having heard from the applicant's representative , the Board;

Decided: to grant the above application.

Applicant

(8) CJ Lang And Son Limited

Premises

Spar Convenience Store
21 Cornhill Shopping Centre
Kincaidston
Ayr

The primary activity undertaken in the premises is the general retail sale of groceries and the like during and outwith core licensed hours. Charity collection point and charitable events take place. Food to Go. Click & collect. Home Deliveries. Paypoint payment. National Lottery outlet. Sampling & promotional activities.

Having heard from the applicant's representative , the Board;

Decided: to grant the above application.

Applicant

Premises

(9) Park Holidays UK Limited

The Ailsa Pub
Kirkoswald Road
Turnberry

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

Change the name of the Premises to “Turnberry Holiday Park” Amend Core Hours for on sales as above.

Amend off sale hours as above.

Having heard from the applicant's representative , the Board;

Decided: to grant the above application.

Applicant

Premises

(10) Julie Martin

The Plough Inn
10 Cunningham Street
Tarbolton

	Existing Licensed Hours		Proposed Licensed Hours	
	On Sales	Off Sales	On Sales	Off Sales
Monday	11:30 – 23:00	N/A	10:00 – 00:00	N/A
Tuesday	11:30 – 23:00	N/A	10:00 – 00:00	N/A
Wednesday	11:30 – 23:00	N/A	10:00 – 00:00	N/A
Thursday	11:30 – 00:00	N/A	10:00 – 00:00	N/A
Friday	11:30 – 01:00	N/A	11:30 – 01:30	N/A
Saturday	11:30 – 01:00	N/A	11:30 – 01:30	N/A
Sunday	11:30 – 00:00	N/A	10:00 – 00:00	N/A

Extension to open at 10am on Sunday to Thursday and close at 12 midnight Extension to open on Friday and Saturday from 11.30am and close at 1.30am Seasonal variation of one hour from the 1st of December to the 2nd of January.

Having heard from the applicant's representative , the Board;

Decided: to grant the above application, highlighting the mandatory obligations.

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

<u>Application Number</u>	<u>Applicant</u>
(1) SA/22/00024/LAPRS	Ronald McDowall

Having heard from Police Scotland and also from the applicant the Board Members;

Decided: to grant the application.

<u>Application Number</u>	<u>Applicant</u>
(2) SA/22/00058/LAPRS	Thomas James Fitzpatrick

In the absence of the applicant, the Board
Decided :to continue consideration of the application to the next meeting of the Board scheduled to allow the applicant to attend, and requested that a citation be hand delivered by the Licensing Standards Officer to the applicant's address:-

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

<u>Applicant</u>	<u>Date</u>	<u>Premises</u>
(1) Costley and Costley Hoteliers Ltd	18 th June 2022 12:00 – 01:00*	Lochgreen House Hotel Monktonhill Road Southwoods Troon

*Outwith Board Guidelines

Board Members raised their concerns around the noise levels of the live music. The applicant explained that the intention is to letter all local neighbours in advance of the event and provide contact details should they wish to raise any issues around noise levels and said that a sound engineer would be present at the wedding to monitor sound levels.

Having heard from the Team Leader (Environmental Health), the applicant and the Licensing Standards Officer, the Board following an adjournment;

Decided: to grant the above application, to include the conditions detailed in the memorandum from the Service Lead Trading Standards and Environmental Health dated 4 May 2022 and recommended by the Licensing Standards Officer in her report dated 18 June 2022.

(2) Alistair John McClymont	9 th July 2022 19:00 – 01:00*	The Home Shed Mossblown Farm
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*Outwith Board Guidelines

Having heard from the Licensing Standards Officer, the Board;

Decided: to grant the above application.

(3) Christine Deans	20 th June 2022 – 3 rd July 2022 Every Day 10:00 – 19:00	Heads of Ayr Caravan Park Shop Dunure Road Ayr
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Having heard from the Licensing Standards Officer, the Board;

Decided: to grant the above application on the following conditions;

- 1) The applicant must comply with the mandatory conditions applicable to a full premises licence including in relation to staff training, minimum pricing and signage requirements
- 2) Any other applications for Occasional Licences for Heads of Ayr Caravan Shop between today's date and the date of the August Board can be approved under delegated powers but on the same conditions as in paragraph (1) above:
- 3) Any further applications for Occasional Licences for Heads of Ayr Caravan Park Shop for the period from the date of the August Board onwards will require to be heard by the Board and not be granted under delegated powers; and
- 4) That the applicant applies for a Premises Licence for the Heads of Ayr Caravan Park Shop.

8. Closing Remarks.

The Chair thanked everyone in attendance and concluded the meeting.

The meeting ended at 12:00 p.m.

South Ayrshire Licensing Board Annual Functions & Financial Report 2021/2022



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APPENDICES

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1.0 Introduction – South Ayrshire Licensing Board

1.1 South Ayrshire Licensing Board (“the Board”) is the licensing authority for the local government area of South Ayrshire. The Board is constituted and operates in accordance with the terms of the Licensing (Scotland) Act 2005 as amended (“the Act”).

Members are placed on the Board following local government elections, and accordingly the Board in place for the reporting period of 1 April 2021 to 31 March 2022 was formed in May 2017, and comprised nine members, all of whom were elected members of South Ayrshire Council. The Board is responsible for the functions set out in paragraphs 1.3 and 1.4 below within South Ayrshire. The administration team for the Licensing Board is based in Country Buildings, Wellington Square, Ayr. During the course of the year 2021-22, Councillor Siobhan Brown resigned from the Board, following her election as an MSP and she was replaced by Councillor William Grant.

1.2 South Ayrshire is situated in the south west of Scotland and covers an area of 422 square miles, extending from Troon and Symington in the north to Ballantrae in the south. It includes the towns of Ayr, Troon, Prestwick, Maybole and Girvan, together with an extensive rural area containing many small villages. It has a population of 112,550 of which 19% are aged under 18.

1.3 The Licensing (Scotland) Act 2005 as amended (“the Act”) makes provision for regulating the sale of alcohol and for regulating licensed premises and other premises on which alcohol is sold.

1.4 Under the Act, Licensing Boards are responsible for considering applications for:-

- premises licences
- occasional licences
- provisional licences
- temporary licences
- personal licences
- transfer of premises licences
- variation of premises licences
- extensions of licensing hours

2.0 The Licensing Objectives

2.1 The Act sets out the following five licensing objectives (“the licensing objectives”):-

- preventing crime and disorder
- securing public safety
- preventing public nuisance
- protecting and improving public health
- protecting children and young persons from harm

2.2 The licensing objectives provide a basis for the administration of the licensing regime. They also provide potential reasons for refusal of an application, for the grant or variation of a premises licence or an occasional licence. Breach of the objectives may provide grounds for reviewing a premises licence. Conditions attached to a premises licence, or an occasional licence may be based on any one or more of the licensing objectives.

2.3 In exercising its functions under the Act, the Board is required to have regard to the licensing objectives.

3.0 Annual Function Report

- 3.1 Board meetings are held in public but deliberations can be made in private. All decisions taken by the Board must be made in public. In the year from 1 April 2021 to 31 March 2022, the Board, like many other institutions, was affected by the Covid-19 pandemic. All meetings, with one exception, were held remotely, initially via Skype and since 18th November 2021 by Connect Remote. Since moving to Connect Remote, meetings have been webcast live.

The minutes of the Board and details of webcasts are available at [Search for council meeting papers - South Ayrshire Council \(south-ayrshire.gov.uk\)](#) The Board was unable to hold its scheduled annual meeting with the Local Licensing Forum as the Forum was reluctant to meet remotely.

- 3.2 Applications before the Board were dealt with in an open and transparent manner in accordance with licensing legislation and the Board's Licensing Policy which had been approved in November 2018. A copy of the Board's statement of licensing policy is available at: [Licensing policy statement - South Ayrshire Council \(south-ayrshire.gov.uk\)](#)
- 3.3 Information and assistance was made available to persons wishing to apply for a licence, make representations or lodge objections. In addition, the Board's Statement of Licensing Policy has a link to a resource developed by Alcohol Focus Scotland to assist anyone wishing to make an objection or representation which is available at <https://www.alcohol-focus-scotland.org.uk/media/133477/Community-licensing-toolkit.pdf>
- 3.4 Subject to the restrictions imposed by Covid-19, the Board is aware of the need to ensure that the licensing process is accessible to all. Assistance is therefore always available on request for those who require special arrangements to access any part of the process. Anyone unfamiliar with Skype or Connect Remote, or unable to use them, was given a number and code which they could use to join meetings by phone.
- 3.5 At all meetings, the Board attempted to make the process as informal as possible and consistent with the carrying out of the Board's quasi-judicial function. The Board always attempts to follow best practice in enforcement which will in its actions be proportionate, accountable, consistent, transparent, and targeted. For the remote meetings which were held, all applicants managed successfully to join the meetings and contribute in the same way as they would have if the meeting had been held in the normal way.

4.0 Decisions of the Board

- 4.1 Each application for a premises licence, provisional premises licence or a major variation of a premises licence was decided on its merits.

The provisional premises licences and premises licences granted in 2021/22 are listed at Appendix 1. Of the provisional applications, none have been confirmed as at 31 March 2021.

- 4.2 During the course of the year, the Board granted 479 occasional licences. [This is fewer than the Board would anticipate granting in a normal year as a result of the restrictions imposed by the pandemic.](#) The register of occasional licences is available at: - [Occasional licence register - South Ayrshire Council \(south-ayrshire.gov.uk\)](#)

- 4.3 The Scottish Government issued guidance to Licensing Boards which is available at [Coronavirus \(COVID-19\): Licensing \(Scotland\) Act 2005 section 142 - statutory guidance - gov.scot \(www.gov.scot\)](https://www.gov.scot/Topics/consultations/legislation/2020/142)

In line with this guidance, the Board accepted occasional licence applications from premises to permit them to use additional areas for outside drinking to enable customers to be socially distanced outside. It was made clear to all premises that these applications were a stop gap measure, with each licence being granted for fourteen days at a time and that once the pandemic is over, the premises will either have to revert to their previous areas or alternatively go through the full process of applying for a variation to their licence.

- 4.4 There are currently 390 licensed premises in South Ayrshire. A register of current Premises Licences is available at:-

[Premises licence register - South Ayrshire Council \(south-ayrshire.gov.uk\)](https://www.south-ayrshire.gov.uk/premises-licence-register)

- 4.5 In the course of the year the Licensing Board granted or renewed 161 personal licences. The Board refused four applications for personal licences following on objections from Police Scotland.

- 4.6 The Board noted that in the course of the year thirteen premises licences were surrendered or ceased to exist as listed in Appendix 2

5.0 Licensed Hours

- 5.1 In granting licences the Board recognises that licensing hours are important to individual licensed premises but can have a wider impact for an area. Balanced against this, the Board does not wish to unnecessarily inhibit the development of thriving and safe evening and night-time local economies which are important for investment, employment, and tourism. The Board considers that the on-sale policy hours are appropriate for South Ayrshire and represent a balance between the interests of the public, residents, licensed businesses, and patrons of licensed premises.

- 5.2 For applications relating to premises licences and occasional licences, the Board's general policy on the licensed hours for the sale of alcohol for consumption on the premises is that the maximum period granted will be 14.5 hours.

- 5.3 In terms of the Act, the sale of alcohol for consumption off the premises is not permitted before 10.00am or after 10.00pm. The Board's policy is that maximum available licensed hours of 10.00am to 10.00pm each day are generally appropriate for off sales. However, each off sales application will be assessed on its own merits against these licensed hours to ensure that the licensing objectives are being promoted in such applications. If this is not demonstrated to the Board, the Board may grant reduced hours for off sales.

- 5.4 The Board normally permits on sales premises to apply for extended hours during the festive period 1 December -2 January when it will generally permit trading for an additional hour. Many premises already have this embedded in their licence as a seasonal variation. However, this year, because of restrictions imposed by the Coronavirus legislation, there was no requirement for additional hours.

- 5.5. Two online seminars were organised for the on sales trade in April 2021 to assist them with implementing the ever-changing Covid restrictions. The seminars were hosted by Police Scotland in conjunction with the Licensing Board and Environmental Health. These were well attended and well received by the trade. It was universally accepted that it was incredibly difficult for the trade to keep up to date with guidance which was being continuously updated. It should also be noted that the online format for training

and updates, whilst crucial during the pandemic, was not suitable for all trade members, and so work on the ground also continued. Generally the trade have expressed a preference for “live” events where possible, going forward.

6.0 **Licensing Board Training**

- 6.1 For the period 1 April 2021 to 31 March 2022 the Board comprised 9 members. As mentioned above, Councillor Siobhan Brown resigned from the Board after being elected as an MSP and her place was taken by Councillor William Grant who successfully completed training with Alcohol Focus Scotland before taking his place on the Board.
- 6.2 Board members received statutory training from Alcohol Focus Scotland in licensing legislation and Board functions. This included a post training examination which all were required to pass with a minimum of 75% before they were permitted to make any decisions.
- 6.3 The Board recognises the need for continuous development of understanding and awareness of licensing law and practices and having an up to date knowledge of the effects of alcohol on people across South Ayrshire is essential to making informed licensing decisions. It regularly receives updates from Police Scotland and from officers of the Council.

7.0 **Licensing Forum**

- 7.1 The role of Licensing Forum is to keep under review the operation of the Act in the South Ayrshire area and to give advice and make recommendations to the Board in relation to such matters as the Forum considers appropriate. The Forum is the community’s voice on alcohol licensing issues.
- 7.2 It has proved challenging to keep a full membership of the Forum, particularly in relation to representation for young people and minority groups. Full details of Forum membership is available at:- [Local Licensing Forum - South Ayrshire Council \(south-ayrshire.gov.uk\)](https://www.south-ayrshire.gov.uk)
- 7.3 The Forum normally meets on a quarterly basis and has a joint meeting with the Board once a year. Unfortunately, due to the pandemic, the Forum did not meet this year as some members were not available due to redeployment of their roles during the pandemic, and there were difficulties for some in meeting remotely. However, the Licensing Standards Officer kept in touch with the Forum members regularly during the year and gave updates on the work of the Board and general information about how the pandemic was affecting licensed premises. It is worth noting that work will be required to recover the Forum as an operational group.

8.0 **Reviews**

- 8.1 Fourteen premises are currently suspended due to non-payment of annual fees. These premises may be re-instated once all outstanding fees have been paid. These premises are listed in Appendix 3. The Board accepts that the annual fee may not have been paid because the premises have not been trading and may be for sale. However, following on the review of its Licensing Policy if the premises licence remains unpaid for more than two years then the Board may hold a review to consider revoking the premises licence unless the licence holder can show good reason why the licence should not be revoked.

8.2 Members have previously been briefed by Police Scotland on their policy of using interventions when there has been an incident on licensed premises. The Board is aware that if the intervention is successful then the matter will not be brought to the Board thus ensuring that only the most serious incidents are brought to the Board.

8.3 Police Scotland requested two premises licence reviews and four reviews of personal licences during the year. No action was taken against one premises but the other review resulted in a short suspension of the premises licence to allow time for staff training. Two personal licences were revoked following reviews, one was suspended to allow the holder to undertake further training, and one licence holder's licence was endorsed.

9.0 Licensing Standards Officer

9.1 South Ayrshire Licensing Board has one Licensing Standards Officer, Mrs Catrina Andrew. The Licensing Standards Officer for a council area has the following general functions: -

- providing information and guidance concerning the operation of licensing legislation in South Ayrshire,
- supervising the compliance of licence holders with the conditions of their licences and other requirements of licensing legislation,
- providing mediation services for the purpose of avoiding or resolving disputes or disagreements between the licence holders any other persons.

9.2 Mrs Andrew has dealt with complaints and enquiries throughout the year, with visits continuing 'in person' to licensed venues who have both expected and appreciated this type of visit as opposed to online. The licensing staff were not responsible for ensuring compliance with the Covid legislation, but a number of visits have taken place with the LSO in association with colleagues in Environmental Health and Police Scotland to ensure premises are receiving a joined-up approach and access to the most up to date information, and to avoid repetitive and constant visits.

10.0 Statement of Licensing Policy

10.1 The Statement of Licensing Policy is there to provide licensees and applicants with a document that illustrates what the Board regards as good practice, what the Board expects from those operating licensed premises and to provide uniformity and consistency of decision-making. The Board's current Statement of Licensing Policy was approved in November 2018. It is available at [Licensing Board - South Ayrshire Council \(south-ayrshire.gov.uk\)](https://www.south-ayrshire.gov.uk). Following the local government election in May 2022, the policy must now be produced for the new Board within 18 months of the election and therefore the Statement of Licensing Policy must be reviewed and published no later than November 2023.

11.0 Conclusion

11.1 The Board recognises that this has been another difficult period for the licensed trade, particularly the hospitality venues which have faced periods of lockdown and restricted trading. It commends the efforts which all premises have made to comply not only with the licensing objectives but also with all the restrictions imposed on them because of Covid-19.

11.2 The Board also recognises the efforts of the many officers and partners involved in ensuring that licensed premises in South Ayrshire are compliant with and kept well informed of the requirements of the array of licensing legislation and regulations.

- 11.3 While there is no doubt that South Ayrshire licensed premises are well run, the Board will continue to ensure that there is no complacency in promoting good practice and that the licensing objectives are complied with.

South Ayrshire Licensing Board

Income and Expenditure Report -Licensing (Scotland) Act 2005 section 9B

Financial year 2021/2022

Income

Liquor licensing fees	£170,222.00
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Expenditure

Staff Costs	£132,293.00
Other expenditure	£66,963.00
Total Expenditure	£199,256.00
Deficit (Income – Expenditure)	£29,033.00

Note

The income comprises application fees and annual fees for the period 1 April 2021 to 31 March 2022, during which time the licensed trade continued to be affected by the Covid 19 pandemic.

The staff costs shown reflect the proportion of staffing costs attributable to the liquor licensing function. The costs include salary, superannuation, national insurance and pension costs.

Other expenditure includes supplies and services and a portion of central administrative costs such as accommodation, ICT, facility management etc. that are allocated to the Licensing Board.

Appendix 1

Provisional and full premises licences granted in 2021/2022

1. The Hub, 5 Back Hawkhill Avenue, Ayr
2. 23 Adamton Road North, Prestwick
3. Co-op, 51 Kirkoswald Road, Maybole
4. Roodlea Barn, Roodlea, Coylton (provisional issued 12.03.2020)
5. The Plough Inn, 10 Cunningham Street, Tarbolton (provisional issued 20.08.2020)

Appendix 2

Premises licences surrendered or ceasing to exist

1. 10 - 12 The Cross, Prestwick
2. Bannatyne Fitness Limited, 1 Highfield Drive, Ayr
3. River Cottage, 4 River Terrace, Ayr
4. Cosses Country House, Ballantrae
5. Twenty Twenty Bistro, Unit 2, 49 Maybole Road, Ayr
6. Craigie Inn, 5 Main Street, Craigie
7. Vulcan Tavern, 18 Green Street Lane, Ayr
8. Brunston Castle Golf Course, Dailly
9. Parkstone Hotel, 6 Ardayre Road, Prestwick
10. Malin Court , Turnberry Road, Maidens
11. RS McColl, 91 High Street, Ayr
12. Pizza Hut, 6 Liberator Drive, Ayr
13. Jade Dragon, 9 Templehill, Troon

Appendix 3

Premises suspended due to non-payment of annual fees

1. The Village Store, 2 Kennedy Drive, Dunure
2. Blossom Place, 41 South Harbour Street, Ayr
3. L And M's 1A Bath Place Ayr
4. Geordie's Byre, 103 Main Street, Ayr
5. Harbour Bar, 46 North Harbour Street, Ayr
6. Douneburn Stores, 29 Kirkpatrick Street, Girvan
7. Buckley's, 59 Main Street, Prestwick
8. Costleys, 156/158 Main Street, Prestwick
9. Manor Park Hotel, 48 Kilmarnock Road, Monkton
10. Kings Arms Hotel, 1 Stinchar Road, Barr
11. Prestwick Indoor Bowling, Bellevue Road, Prestwick
12. McCallums Of Troon, The Oyster Bar, Harbour Road, Troon
13. Willie Wastles, 30 New Bridge Street, Ayr
14. Kildonan House, Barrhill South Ayrshire

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 10th 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 7th 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 28th 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 3rd 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

SOUTH AYRSHIRE COUNCIL

**REPORT BY THE CLERK
TO THE LICENSING BOARD
OF 24 AUGUST 2022**

Subject: Revocation of Personal Licences

1. Purpose

To advise members on the revocations of personal licences.

2. Recommendation

To note the terms of the report

3. Background

The Licensing (Scotland) Act 2005 introduced personal licences. It is a condition of the personal licence that (a) the applicant undertakes refresher training within five years of the date of issue of the licence and (b) no later than 3 months after the expiry of five years from the date of issue produces evidence of the training to the Board. Failure to complete either part of the process means that the Board must revoke the personal licence. (Licensing (Scotland) Act 2005 section 87(3))

4. Current Position

Since the last report to the Board, a further 22 personal licences as per appendix 1 have been revoked under delegated powers. All licence holders affected have been advised by post to their last known address of the revocation of their licences. Revoked licence holders can still take refresher training and then reapply for another personal licence although there is a cost of £50 for the new application. (There is no fee payable if the refresher training is completed and intimated to the Board on time.)

Author and Person to Contact.

Karen Briggs, Depute Clerk, County Buildings,
Wellington Square, Ayr, KA7 1DR
Tel. (01292) 612416

Date. 10th August 2022

South Ayrshire Licensing Board

Revoked Personal Licences - Sorted by Name

for the period 09/06/2022 to 15/07/2022

<u>Name</u>	<u>Personal Licence</u>	<u>Date Revoked</u>
Mr Stuart Wallace Alston	SA/16/00203/LAPRS	09/06/2022
Mr Oswald St. George Browne	SA/17/00002/LAPRS	09/06/2022
Mr David Samuel Cameron	SA/17/00032/LAPRS	07/07/2022
Miss Elaine Campbell	SA/17/00012/LAPRS	09/06/2022
Mr Sean Crowe	SA/17/00009/LAPRS	09/06/2022
Mr Daniel Greenock	SA/17/00019/LAPRS	07/07/2022
Miss Maureen Hinton	SA/17/00015/LAPRS	09/06/2022
Mr Aaron Jackson	SA/17/00013/LAPRS	09/06/2022
Ms Joanne Winter Miller Kane	SA/17/00024/LAPRS	07/07/2022
Mr Connor Kelly	SA/17/00014/LAPRS	09/06/2022
Miss Kerry Louise Moffat Mackie	SA/17/00006/LAPRS	09/06/2022
Mr Declan McCurdie	SA/17/00027/LAPRS	07/07/2022
Mr Brian Michael McKeown	SA/17/00031/LAPRS	07/07/2022
Mr Andrew McLaren	SA/17/00029/LAPRS	07/07/2022
Mr Stuart Nicol	SA/17/00033/LAPRS	07/07/2022
Mrs Fiona Anderson Piper	SA/17/00007/LAPRS	09/06/2022
Miss Eva Salani-Bates	SA/17/00035/LAPRS	07/07/2022
Mrs Jane Samson	SA/17/00011/LAPRS	09/06/2022
Ms Alison Scott	SA/17/00026/LAPRS	07/07/2022
Mr Gavin William Scott	SA/17/00010/LAPRS	09/06/2022
Mr Ahmet Sorgucu	SA/17/00005/LAPRS	09/06/2022
Miss Dana Templeton	SA/17/00004/LAPRS	09/06/2022
Number of Licences Revoked:		22

**Licensing (Scotland) Act 2005
Premises Licences Ceasing to Exist**

Premises	Reason for Ceasing to Exist
Ellisland 19 Racecourse Road Ayr	The property is no longer commercial and will be used for domestic use
Blossom Place 41 South Harbour Street Ayr	Company holding licence has been dissolved



**REPORT BY CLERK TO THE LICENSING BOARD
TO LICENSING BOARD OF 24 AUGUST 2022**

SUBJECT: APPLICATIONS FOR TRANSFER GRANTED BETWEEN 15 JUNE 2022 AND 24 AUGUST 2022

1. Purpose.

To advise Board Members of the determination of applications for Transfer of licences for the period between the last Board meeting and the present one.

2. Recommendations.

The Board are requested to note the report.

3. Background.

Applications for transfer are now dealt with under delegated powers except if any of the parties or connected persons have a relevant offence.

4. Considerations.

(1) Old Loans Inn, 31-33 Main Street, Loans

The above premises licence was transferred to M and K Simpson Ltd on 8th June 2022

(2) McColls, 67/69 Content Street, Ayr

The above premises licence was transferred to Alliance Property Holdings Ltd on 14 June 2022

(3) McColls, 2/4 Westwood Crescent, Ayr

The above premises licence was transferred to Alliance Property Holdings Ltd on 14 June 2022

(4) McColls, 51-55 Berelands Road, Prestwick

The above premises licence was transferred to Alliance Property Holdings Ltd on 14 June 2022

(5) McColls, 106 Dalrymple Street, Girvan

The above premises licence was transferred to Alliance Property Holdings Ltd on 14 June 2022

(6) Morrisons Daily, 6 Bridge Street, Dailly

The above premises licence was transferred to Alliance Property Holdings Ltd on 14 June 2022

(7) Mainholm Stores, 2 Mainholm Road, Ayr

The above premises licence was transferred to Paramjit Singh on 30 June 2022

(8) Westcliffe Hotel, 15 Louisa Drive, Girvan

The above premises licence was transferred to Elizabeth Brown on 19 July 2022

5. Resource Implications.

None

6. Results of Public Consultation.

None

Background Papers. Nil

Author and Person to Contact.

Karen Briggs, Depute Clerk, County Buildings, Wellington Square,
Ayr, KA7 1DR
Tel. (01292) 612416

Date. 11th August 2022

**REPORT BY THE CLERK TO THE
LICENSING BOARD OF 24th AUGUST 2022**

**SUBJECT: APPLICATION FOR
PROVISIONAL PREMISES LICENCE**

**17 STATION ROAD
MOSSBLOWN**

APPLICANT

**MAZ MINN MARKET LTD
17 STATION ROAD
MOSSBLOWN**

APPLICATION REPORT

1. Background:

An application for a premises licence for a general convenience store.

The core hours sought are 10:00- 22:00 daily for off sales only.

The applicant is seeking an alcohol display area of 22.92 square metres which has been agreed with Building Standards

2. Reports

There have been no objections or representations.

A Section 50 Certificate from Planning has been lodged along with the application, and further section 50 certificates will be required from Building Standards and Environmental Health if the provisional licence is granted.

The applicant has provided a disabled access and facilities statement -Appendix 1.

The applicant has also provided details of how it will meet the licensing objectives – Appendix 2

3.

Board Options

The Board should establish what it considers to be locality. The town of Mossblown is considered the locality

Address	Capacity
Key Stores 16 Station Road Mossblown	19.6m2
Fourways 1 Annbank Road Mossblown	80 persons
Spar 19-21 Station Road Mossblown	9.79m2

The Board must, in considering and determining the application consider whether any of the grounds for refusal applies and-

The Board must, in considering and determining the application consider whether any of the grounds for refusal applies and-

(a) if none of them applies, the Board must grant the application, or

(b) if any of them applies, the Board must refuse the application.

The grounds for refusal are—

(a) that the subject premises are excluded premises,

(b) that the application must be refused under section 25(2), 64(2) or 65(3),

(c) that the Licensing Board considers that the granting of the application would be inconsistent with one or more of the licensing objectives,

(d) that, having regard to—

(i) the nature of the activities proposed to be carried on in the subject premises,

(ii) the location, character and condition of the premises, and

(iii) the persons likely to frequent the premises,

the Board considers that the premises are unsuitable for use for the sale of alcohol,

(e) that, having regard to the number and capacity of—

(i) licensed premises, or

(ii) licensed premises of the same or similar description as the subject premises,

in the locality in which the subject premises are situated, the Board considers that, if the application were to be granted, there would, as a result, be overprovision of licensed premises, or licensed premises of that description, in the locality.

Person to Contact:

Karen Briggs
Depute Clerk
County Buildings
Wellington Square, Ayr
Telephone (01292) 617687
Date 4th August 2022

St Andrew's House, Edinburgh

SCHEDULE

SCHEDULE 6

Regulation 7

DISABLED ACCESS AND FACILITIES STATEMENT
Licensing (Scotland) Act 2010, Section 20(2)(Ba)

Question 1

Disabled access and facilities

1(a)	Is there disabled access to the premises?	YES/NO*
1(b)	Do you have any facilities for those with a disability?	YES/NO*
1(c)	Do you have any other provisions available to aid the use of the premises by disabled people?	YES/NO*

*Delete as appropriate

If you have answered Yes to any of the questions above please complete, as appropriate, the following sections.

Question 2

Access to the premises

Please provide clear information about how accessible the premises are for disabled people.

The premises are accessible from pavement level.

Question 3

Facilities available

Please describe the facilities provided for disabled people

N/A

Question 4

Other provisions

Please provide details of any other provisions made to aid the use of the premises by disabled people

N/A

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

The contents of this disabled access and facilities statement are true to the best of my knowledge and belief.

Signature Brian Miller * (see note below)

Date Tuesday, 31 May 2022

Capacity APPLICANT/ AGENT (delete as appropriate).

Telephone number and email address of signatory: 0141 337 1199

Archie McAra Esq., Money Advice Miller, Solicitors, 27 Herbert Street, Glasgow G20 4QB
Telephone: 0141-337-1199
Email: archie@mcara.com

REGISTRATION LICENCE APPLICATIONS/Proc Form 6a - JJ Station Road, Monkton, Apr 2011 100.11.3.2022.doc
ADAMCA

LICENSING OBJECTIVES

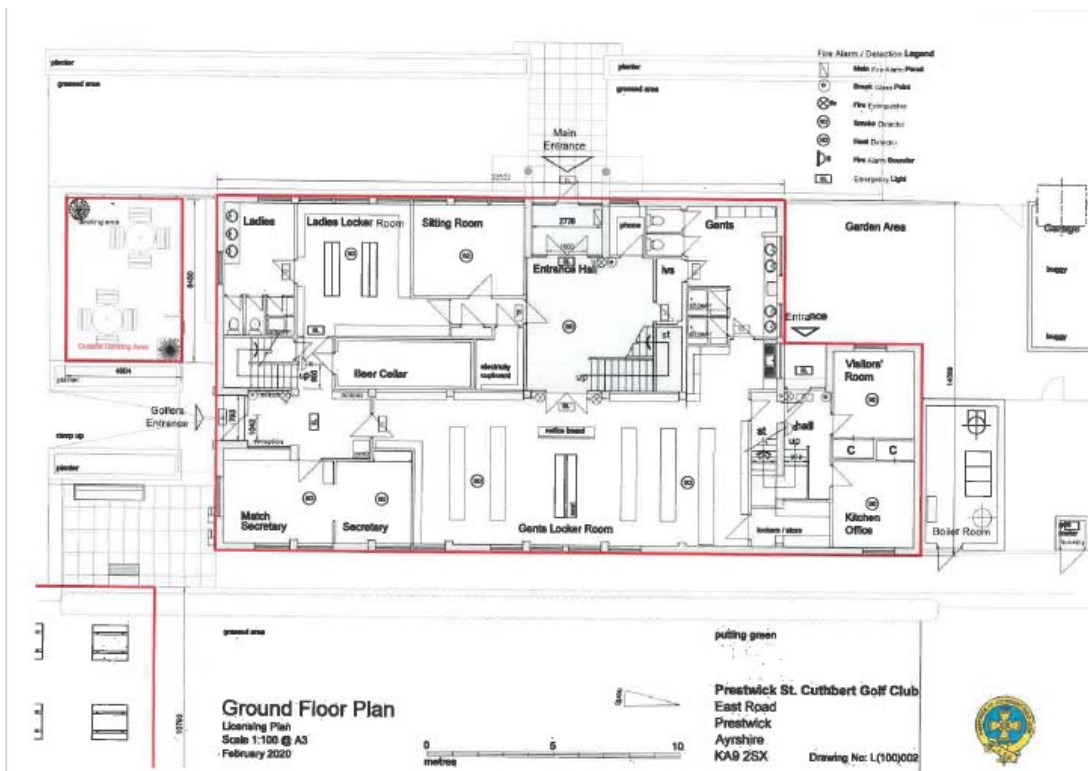
17 STATION ROAD, MOSSBLOWN

1. Preventing crime and disorder
The premises will be well run. They will benefit from having CCTV cameras installed. The appropriate signage regarding Challenge 25 will of course be displayed along with all other necessary Statutory signage. Staff will be properly trained to ensure the premises are run in accordance with all legal requirements.
2. Securing public safety
Reference is made to the above answer. Staff will be trained to act at all times in accordance with the law and to act at all times in a manner which does not impact adversely on the safety of the general public.
3. Preventing public nuisance
The installation of CCTV cameras, the appropriate training of staff along with adherence to the legislation will ensure no public nuisance is created. In the event that staff are aware of persons outside the premises they will ensure that said persons are requested to move. In the event that there is a failure on the part of anyone loitering to adhere to the request to move on then the Police will be contacted. In addition, staff will be mindful as to the importance of keeping the area around the premises in a clean and tidy condition and will ensure that any litter deposited by customers is cleared as quickly as possible.
4. Protecting and improving public health
Staff will be trained to be mindful of the effect of alcohol and will ensure that no one who is intoxicated will be served on the premises.
5. Protecting children from harm
Staff will strictly adhere to the requirements of Challenge 25. The only acceptable forms of i.d. will be those laid down in the legislation. Anyone who is unable to produce satisfactory i.d. will be refused service and a record of all refusals will be maintained on the premises. The use of CCTV will assist in this also and will act as a further tool to protect children from harm. The appropriate signage regarding Challenge 25 and the required notices under Section 110 will be displayed within the premises.

Application for Variation of Premises Licence

1.	Prestwick St Cuthbert Golf Club	Prestwick St Cuthbert Golf Club East Road Prestwick		
		Existing Licensed Hours		Proposed Licensing Hours
		On Sales	Off Sales	On Sales
				Off Sales
	Monday	10:00 – 23:00	10:00 – 22:00	10:00 – 00:30
	Tuesday	10:00 – 23:00	10:00 – 22:00	10:00 – 00:30
	Wednesday	10:00 – 23:00	10:00 – 22:00	10:00 – 00:30
	Thursday	10:00 – 23:00	10:00 – 22:00	10:00 – 00:30
	Friday	10:00 – 00:30	10:00 – 22:00	10:00 – 00:30
	Saturday	10:00 – 00:30	10:00 – 22:00	10:00 – 00:30
	Sunday	11:00 – 00:00	11:00 – 22:00	10:00 – 00:30

Change to on and off sales hours
 Change to seasonal variations for festive period
 Include gaming
 Include activities outwith core hours and additional activities
 Change to children and young persons statement to facilitate needs of sporting club, family meals and functions
 Minor changes to layout plan, show extent of outside area including outside drinking
 Remove the “Members Club” status and allow members of the public to enter
 Add a premises manager



2.	Crosshill Bowling Club	Crosshill Bowling And Social Club 56 Kirkmichael Road Crosshill		
		Existing Licensed Hours		Proposed Licensing Hours
		On Sales	Off Sales	On Sales Off Sales
Monday		10:00 – 00:30	N/A	10:00 – 01:00 10:30 – 22:00
Tuesday		10:00 – 00:30	N/A	10:00 – 01:00 10:30 – 22:00
Wednesday		10:00 – 00:30	N/A	10:00 – 01:00 10:30 – 22:00
Thursday		10:00 – 00:30	N/A	10:00 – 01:00 10:30 – 22:00
Friday		10:00 – 00:30	N/A	10:00 – 01:00 10:30 – 22:00
Saturday		10:00 – 00:30	N/A	10:00 – 01:00 10:30 – 22:00
Sunday		10:00 – 00:00	N/A	10:00 – 01:00 10:30 – 22:00
<p>Change name to Crosshill Bowling and Social Club Remove the members club status of the premises and appoint a premises manager Amend core hours as above. Add off sales Remove seasonal variations. Add films to operating plan. Remove activities outwith core hours. Change to Children and Young Persons statement and access Removal of locker room and include former bowling green area and path surrounding in licensed area</p>				
4 Public Objections and LSO Report (Copies Herewith)				



Blue – outline of Bowling Club area
Yellow – proposed licensed area

3.	Carrick Community Leisure Group	Goudies 8 Whitehall Maybole		
		Existing Licensed Hours		Proposed Licensing Hours
		On Sales	Off Sales	On Sales Off Sales
Monday		10:00 – 00:00	11:00 – 22:00	10:00 – 00:30 10:00 – 22:00
Tuesday		10:00 – 00:00	11:00 – 22:00	10:00 – 00:30 10:00 – 22:00
Wednesday		10:00 – 00:00	11:00 – 22:00	10:00 – 00:30 10:00 – 22:00
Thursday		10:00 – 00:00	11:00 – 22:00	10:00 – 00:30 10:00 – 22:00
Friday		11:00 – 01:00	11:00 – 22:00	10:30 – 01:00 10:00 – 22:00
Saturday		11:00 – 01:00	11:00 – 22:00	10:30 – 01:00 10:00 – 22:00
Sunday		10:00 – 00:00	11:00 – 22:00	10:00 – 00:30 10:00 – 22:00
The removal of local condition 3				
Change to core hours				
Change to off sales hours				
Addition of adult entertainment for functions and private events				
LSO Report (copy herewith)				

4.	Maidens Bowling Club	Maidens Bowling Club 31 Harbour Road Maidens		
		Existing Licensed Hours		Proposed Licensing Hours
		On Sales	Off Sales	On Sales Off Sales
Monday		10:00 – 23:45	N/A	10:00 – 00:30 10:00 – 22:00
Tuesday		10:00 – 23:45	N/A	10:00 – 00:30 10:00 – 22:00
Wednesday		10:00 – 23:45	N/A	10:00 – 00:30 10:00 – 22:00
Thursday		10:00 – 23:45	N/A	10:00 – 00:30 10:00 – 22:00
Friday		10:00 – 23:45	N/A	10:00 – 00:30 10:00 – 22:00
Saturday		10:00 – 23:45	N/A	10:00 – 00:30 10:00 – 22:00
Sunday		10:00 – 23:45	N/A	10:00 – 00:30 10:00 – 22:00
Add off sales. Amend terminal hour for on sale.				
Add seasonal variations				
Add conference facilities, restaurant facilities and bar meals				
Include theme nights, coffee mornings, community events. Allow premises to be used for members meetings prior to core hours. Allow visiting members to use facilities prior to core hours				
Removal of plastic glasses outside				
Children and young persons permitted on premises for bowling and functions				
Children permitted until 10pm, young people until close and permitted in all parts of the premises				

Comment on Premises Licensing Application: 22/00515/LAPREV



[Redacted Name]

To Licensing

We removed extra line breaks from this message.

Reply Reply All Forward

Tue 26/07/2022 18:30

Reference: 22/00515/LAPREV

Premises name: Crosshill Bowling And Social Club Premises address: 56 Kirkmichael Road Crosshill South Ayrshire KA19 7RJ

License details: Premises licence

Name: Karen McCrorie
Address: 8 Leslie Crescent , Ayr
Postcode: KA7 3BW

Comment type: Objection

Comments:

I have elderly parents who stay in 57 Kirkmichael Road, they don't keep the best of health and to be honest even if they weren't elderly who would want outside drinking and noise directly across the road from them looking into there house.

Kind regards


Karen McCrorie

Comment on Premises Licensing Application: 22/00515/LAPREV



[Redacted Name]

To  Licensing

 We removed extra line breaks from this message.

 Reply  Reply All  Forward 

Tue 26/07/2022 20:57

Reference: 22/00515/LAPREV

Premises name: Crosshill Bowling And Social Club Premises address: 56 Kirkmichael Road Crosshill South Ayrshire
KA19 7RJ

License details: Premises licence

Name: Alasdair McBlain
Address: 57 Kirkmichael Road, Crosshill, Ayrshire
Postcode: KA19 7RF

Comment type: Objection

Comments:

As a resident who lives directly across from the Bowling Green, I strongly object to the proposal for events on top of the bowling green and also the proposed opening times. I don't think it is appropriate for my family to have to look onto a green full of party goers, it's completely unacceptable. I've had a lot of negative experience with the current bowling green committee. The committee sectioned off land adjacent to the green and turned it into a tipping ground with old cars, sofas & containers. They've also had parties on top of the green without consent. We've been subjected to floodlit football matches in the late hours. Ultimately I had to engage the services of SAC planning enforcement & licensing in order for them to clean the place up. This has been a distressing time for me and my elderly parents who live there. To permit this license application would no doubt cause further tensions & ill feeling. I have spoken to the local residents on this matter and they are all of the same opinion. To confirm, we have no objections to people having drinks in the clubhouse.


Objection3

Comment on Premises Licensing Application: 22/00515/LAPREV



To [Redacted]

Licensing

 We removed extra line breaks from this message.

[Reply](#) [Reply All](#) [Forward](#) [More](#)

Thu 28/07/2022 16

Reference: 22/00515/LAPREV

Premises name: Crosshill Bowling And Social Club Premises address: 56 Kirkmichael Road Crosshill South Ayrshire KA19 7RJ

License details: Premises licence

Name: Aileen Martin

Address: 25 Kirkmichael road Crosshill

Postcode: KA19 7 RJ

Comment type: Objection

Comments:

I would like to lodge a formal objection to the proposed new licensing hours and off premises sales in particular. This is a members only village club and do not see that it requires a licence the equivalent of a public house. In my opinion the off premises sales would amount to an unreasonable nuisance to nearby residents.

Objection4

Alasdair McBlain
57 Kirkmichael Road,
Crosshill, Ayrshire
KA19 7RF

28/07/22

Re: Crosshill Bowling Club License Application 22/00515/LAPREV

We, the undersigned, as local residents adjacent to Crosshill Bowling Green object to the new license application; ref. 22/00515/LAPREV

We feel that allowing the bowling green to be utilised for outdoor drinking and bar meals on top of the bowling green will lead to parties & social events that would have a negative impact on the area and on the residents who live there.

We also object to the proposed opening times, we feel they are excessive, unwarranted for a bowling green and again would have a negative impact on the residential area and on the residents who live there.

Regards,

Alasdair McBlain.

Local residents against Crosshill Bowling Club License Application 22/00515/LAPREV

Name	Address	Signature / Date
ALASDAIR M ^C BLAIN	57 KIRKMICHAEL ROAD CROSSHILL, KA19 7RJ	
SARAH M ^C BLAIN	57, KIRKMICHAEL ROAD CROSSHILL, KA19 7RJ	
ROBERT M ^C BLAIN	57 KIRKMICHAEL ROAD, CROSSHILL, KA19 7RJ	
Cath Ramsay	59 KirkMichael Rd Crosshill	
John Yait	59, KIRKMICHAEL RD CROSSHILL	
JAMES M ^C CULLOCH	47 KIRKMICHAEL ROAD CROSSHILL KA19 7RJ	
I. S FLEMING	54 KIRKMICHAEL ROAD, CROSSHILL KA19 7RJ	
R.S Fleming	54 KIRKMICHAEL ROAD, CROSSHILL KA19 7RJ	

Report for South Ayrshire Licensing Board from L.S.O

Non Minor Variation – CROSSHILL BOWLING (AND SOCIAL) CLUB, CROSSHILL

As a result of the non-minor variation application lodged on behalf of Crosshill Bowling Club in Crosshill in late June, there have been some objections received from local residents and thus I have visited the premises and location to take photographs, which I trust will be of use to the Board in their deliberations.

As members may be aware, I have recently been carrying out a project and a series of visits to members clubs to ensure that the way in which they are operating 'post-Covid' reflects the permissions granted to them in their licence.

Crosshill Bowling Club is one of the premises that has significantly changed over the past two years and now is the only alcohol sales premises in the village (with both of the on sales premises having surrendered their licence in the past 4 years and now being residential properties). As a result of this the venue is now being used more by locals who are not involved in bowling and thus the 'Members Club' category is not ideal for the way in which these premises now operate. A premises manager has been nominated in this variation application and a number of areas of the operating plan have been updated to ensure all future uses of the premises can be accommodated if the Board are minded to grant the application.

I can confirm that the premises has held a liquor licence since September 2009 when the Licensing (Scotland) Act 2005 first came into force (and a licence existed under the previous 1976 Act).

At the end of March 2022, I was contacted by a local resident who had various concerns about the running of the Bowling Club and use of the associated land. Some of the concerns were issues best dealt with by colleagues in other departments, however I was able to explain to the complainant what was permitted under the current licence and advised I would visit to remind the club of this, which I was able to do with colleagues from Police Scotland within a few weeks. An Occasional Licence was subsequently granted for an event, which I made sure the complainant was made aware of and when the application for variation was lodged the complainant was notified of this also.

The management committee at Crosshill Bowling and Social Club have been receptive to all discussion and information provided and have advised they are keen to make best use of the premises as a Community facility in the future. The application which has been made to vary the licence is to ensure all future plans described to me are covered in terms of the premises licence.

I have attached photographs of the premises and its location to assist members in their consideration of this application and the concerns expressed by the objectors.

Catrina Andrew

Licensing Standards Officer

12th August 2022

Photograph 1:



This shows the previous 'bowling green' bordered by a hedge. Houses can be seen in the top right of picture which is across a road. Directly in top middle of picture is a business/industrial unit. Photograph is taken from outside the clubhouse.

Photograph 2 – Shows the road from Crosshill to Kirkmichael

The Club Premises is on the left and the objectors houses to the top right



Photograph 3 – Shows the car park adjacent to the Club premises.

The hedge for the club premises can be seen on the left and the neighbouring houses are seen in top right of the picture



Photograph 4 –



Shows the former 'bowling green' taken from a different angle



Photograph 5 –

Taken from the top corner of the pathway surrounding the bowling green looking towards the clubhouse



Photograph 6 –

The left hand side of the premises looking outwards towards the road. To the left of the picture housing can be seen (this does not relate to the objections/observations received)

Report for South Ayrshire Licensing Board from L.S.O

Non Minor Variation – GOUDIES, MAYBOLE

As a result of the non-minor variation application lodged on behalf of Goudies in Maybole in early July, I visited the premises to gain a better understanding of the proposal and to find out more information directly from the DPM William Parker.

As members may be aware the premises licence holder is the Carrick Community Leisure Group and pre-Covid the premises underwent a significant refurbishment funded in part by grants and awards for community use. For this reason the alcohol licence was granted with a number of (mainly self imposed) conditions which related to the opening times of the bar areas to fit in with the use of other parts of the building by potentially vulnerable groups. Since opening post-pandemic the demands from the various user groups has changed and the use of the building has become more functions and events focused and thus the trading model of the premises has also had to change to accommodate this.

Specifically, the premises have requested the removal of local condition number 3, which is worded as follows;

Ground Floor

Monday to Friday from 10.00am until 17.00

When the premises are being used as coffee shop/meeting room the bar will remain closed and screened off and no alcohol will be sold. Children and young persons may attend unaccompanied. The bar may however be open and alcohol sold if the premises are catering for a funeral in which case children & young persons may be admitted for the purposes of attending the funeral provided they are accompanied by an adult.

Evenings from 17.00 and weekends

Children and young persons to be admitted to lounge bar/club room only if accompanied by an adult and for the purposes of having a meal.

Unaccompanied Children & Young persons may use the snooker and pool facilities outlined in yellow on the plan until 10 pm.

I would suggest that the removal of this extensive condition would not be of particular concern to the Board as it is very specific and in the absence of this wording the Children and Young Persons statement would revert to the Operating Plan and read as follows:

- Children aged 0 to 15 years are permitted until 10pm
- Young People aged 16/17 years are permitted until 11pm
- In the event of a private function under 18's may stay until the end of the function
- Children and Young Persons are permitted to all public parts of the premises

This would be in keeping with the permissions granted to other premises of a similar type.

With regards to the changes to the Operating Plan, these are general changes intended to provide more flexibility with future trading, described as;

- Change to Core Hours
(to take advantage of the maximum 14.5 hours permitted by Board policy)

- Change to Off Sales Hours
(to take advantage of maximum hours available)
- Addition of Adult Entertainment for Functions and Private Events

It is the latter of these proposed changes that is generally out with what would usually be granted by the Board and, for this reason, I have included some photographs of the premises for the benefit of Members who are not familiar with the layout and have discussed the proposal further with the applicants representatives to consider how this will meet with the Boards policy and the licensing objectives.

Specifically, the Board may wish to consider the Licensing Objectives; Preventing Public Nuisance and Protecting Children and Young Persons from Harm. Additionally, Members are reminded that the definition of 'Adult Entertainment' in the Licensing (Scotland) Act 2005 is;

Any form of entertainment which:

- (a) Involves a person performing an act of an erotic or sexually explicit nature
- (b) Is provided wholly or mainly for the sexual gratification or titillation of the audience

The South Ayrshire Licensing Board's current Policy Statement advises that 'Following consultation carried out in May 2009, the Board will not normally permit adult entertainment in any premises'.

Notwithstanding the above I can confirm that there is 1 premises in Ayr who was granted permission for Adult Entertainment in 2012 and although it is not currently trading the licence remains active. In that particular case the Adult Entertainment related to the whole premises during all trading hours and not specifically to events, although the venue was generally open for the purpose of events.

In relation to the permission sought by Goudies for Adult Entertainment, I would ask members to note that the request is specifically for 'functions and events' and this description has been arrived at through discussion with the LSO and an awareness of the Board's policy. I understand that the reason behind the application is due to requests for 'ladies nights' and 'stag and hen parties' which replicate entertainment (such as dance troupes) who have been seen elsewhere in Ayrshire and beyond. I can confirm that Goudies were advised in February 2022 that they were unable to go ahead with a proposed event (described as a ladies night) which included an entertainment group who described themselves on their website as 'strippers'. This description clearly fell into the category of adult entertainment which, at the time, they did not have permission for on their operating plan. Having sought further advice from the then Depute Clerk, the premises were advised that if they wanted to have this form of entertainment in future they would require to have it included in their operating plan, hence the application before you now.

With regards to the suitability of the premises themselves, I would ask the Board members to consider the attached photographs which show the side entrance to the premises that allow access to the upstairs function area (there is also a lift access for those unable to use the stairs). Within the function area there is a bar and toilet facilities and the area itself can be split using a sliding wall which would potentially mean that any 'entertainment' in that area (which is on the first floor) could not be viewed by anyone not in attendance. Additionally, I can confirm that the windows on the first floor in the bar area have blackout blinds which again would prevent the function area being viewed by anyone outside.

Whilst I am aware that the Board are responsible for the liquor licence of the premises and must be minded of that when making their decision, in order to ensure compliance with the

licensing objectives, I would ask that once the Board have heard the proposals in full from the applicant, if they were so minded to grant the permission, that the following suggestions be considered;

- 1- Adult Entertainment is restricted to the function area on the first floor of the building
- 2- Any 'performers' in relation to adult entertainment should change into their costume within the area on the first floor
- 3- When an event or function containing adult entertainment is taking place on the premises this should be indicated by signage at the entrance to the first floor and entry to the area should be monitored by a staff member
- 4- Functions and events containing adult entertainment are restricted to those aged 18 and over
- 5- Any function or event containing adult entertainment must be invitation only (function hire) or advance ticket sale (event advertised by premises)

I would suggest that the above may show consideration of the licensing objectives by the applicant and could be considered as local conditions.

If the Board are minded not to grant the request for adult entertainment after hearing from the applicant, I would request that the applicant is reminded of the following;

- a- Guidance should be sought prior to organising/advertising any function or event that propose to have entertainment that may be considered of an adult nature to make sure it meets the permissions in the operating plan.
- b- If the premises are found to be holding an event with 'Adult Entertainment' this will be reported to the licensing board and may result in a review of the premises licence.

Whilst I understand that the inclusion of 'Adult Entertainment' is not the primary reason for this variation application, I am aware that it is perhaps the request that may cause the Board the most deliberation and thus I trust this report and accompanying photos will assist the members when making their decision.

Catrina Andrew

Licensing Standards Officer

26th July 2022

Photograph 1:



This shows the side entrance to the premises which leads up to the function suite. If the Board were minded to grant permission for Adult Entertainment at functions, this entrance could be used by those attending and would be separate to those patrons using the downstairs facilities.

Photograph 2 – Shows the 'Function Suite' with the sliding wall closed.
The bar (side view) is in the middle of the picture and toilets to the right



Photograph 3 – Shows the same area with the sliding wall open



Photograph 4 and 5 –

Show the extent of the function room where any performances would/could take place.
There are no windows that would allow visibility in this area





Agenda Item No. 10(c)

Application for the Grant of a Personal Licence

Application Number	Name of Applicant
SA/22/00058/LAPRS	Thomas James Fitzpatrick

Application for Occasional Licence

Applicant	Premises	Event	Dates Requested	Times Requested
Nan Li	Blairquhan Castle Straiton	Brand Induction Trip	12 th October 2022	12:00 – 01:00* *Outwith Board Guidelines
Nan Li	Blairquhan Castle Straiton	Wedding	16 th to 18 th September 2022	16.09.2022 – 15:00 – 00:00 17.09.2022 – 12:00 – 01:00* *Outwith Board Guidelines
Nan Li	Blairquhan Castle Straiton	Wedding	14 th to 16 th October 2022	14.10.2022 – 15:00 – 00:00 15.10.2022 – 12:00 – 01:00* *Outwith Board Guidelines
Alastair McClymont	The Marquee The Haybarn Field Balluskie Farm Barrhill	Wedding and evening reception	27 th August 2022	14:00 – 01:00* *Outwith Board Guidelines
Peter Boyle Bowling Club	Peter Boyle Bowling Club Craigie Park Craigie Road Ayr	Ayr Gold Cup Festival	16 th and 17 th September 2022	Friday 11.00 – 22.00 Saturday 11:00 – 23:00 LSO report
Ross Donald	Ayr Racecourse Whitletts Road Ayr	Ayr Gold Cup Festival	15 th September 2022	11:00 – 19:00 LSO report
Ross Donald	Ayr Racecourse Whitletts Road Ayr	Ayr Gold Cup Festival	16 th September 2022	11:00 – 19:00 LSO report
Ross Donald	Ayr Racecourse Whitletts Road Ayr	Ayr Gold Cup Festival	17 th September 2022	11:00 – 19:00 LSO report
Christine Deans	Heads Of Ayr Caravan Park Dunure Road Ayr	Retail selling of alcohol	25 th August to 28 th August 2022	Every Day 10.00 – 19.00 LSO Report