

## **SOUTH AYRSHIRE LICENSING BOARD.**

Minutes of a hybrid webcast meeting held on 24 August 2022 at 10.00 a.m.

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

Apology: Councillor Martin Kilbride.

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; C. Buchanan, Committee Services Officer and C. McCallum, Clerical Assistant.

Also Attending: Sergeant Sheryl Syme, Police Scotland.

### **Opening Remarks**

The Chair 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. Declarations of Interest**

Councillor Brennan-Whitefield declared an interest in Item 10 (b) (Crosshill Bowling Social Club) and advised that she would leave the meeting during consideration of these items.

#### **2. Date of Next Board Meeting**

The Chair advised that the next Board meeting would be held on Thursday 22 September 2022 at 10.00 a.m.

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

The Minutes of the Meeting of South Ayrshire Licensing Board of 15 June 2022 (issued) were submitted.

**Decided:** to approve the Minutes of the previous meeting.

#### **4. Annual Functions and Financial Report**

There was submitted a report (issued) of 22 July 2022 by the Depute Clerk to the Licensing Board providing the Board Members with a summary of Annual Functions and Finances of the South Ayrshire Council Licensing Board over the period of 31 March 2021 to 1 April 2022. The Depute Clerk to the Licensing Board gave a verbal update of the report;

The Board, having thanked the Depute Clerk to the Licensing Board for her update,

**Decided:** to approve the report.

#### **5. Update by Licensing Standards Officer**

The Licensing Standards Officer advised:

- (1) That, over the Summer months the number of Occasional Licence applications had increased, with Weddings and events now back to a regular routine and many galas and local agricultural shows returning.
- (2) Regular applications for Occasional Licences are being received from Members Clubs holding functions and events, aimed at attracting non-members to the premises. The Licensing Standards Officer stated that these applications tied in with a recent project she had carried out by visiting Members Clubs in South Ayrshire to provide information and guidance on the requirements of a members club licence and to ensure that any premises who were not complying with this either changed the way they were operating or made plans to vary their licences accordingly in the future. The Licensing Standards Officer highlighted the significance of the task as since opening post-covid it was apparent that many members clubs had become more of a community facility than a members focused club and were therefore aiming their premises and events at a wider audience than their licence currently permits.
- (3) Board Members can expect to see variation applications over the next few months from premises who are considering how they will be operating for the future.
- (4) With regards to on sales premises, there is a significant issue of staffing with a large majority of premises having to consider reduced opening hours and days due to a lack of available staff. This is proving particularly challenging for premises who are catering for larger events or later nights when larger staffing numbers are required.
- (5) Lastly, energy price rises are having an effect on all industries and the licensed trade are currently considering how best to manage the projected rise in costs. The Board may expect more applications to vary premises licences in the coming months as the licensed trade consider their individual target market instead of catering to a full-time provision

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

**Decided:** to note the report.

#### **6. Update on The Carrick, Maybole, as requested by Licensing Standards Officer**

The Licensing Standards Officer gave a verbal update of the report and advised that;

- (1) The Carrick premises closed for a period of time to allow for staff re-training.
- (2) The premises licence was transferred to Sandi Graham in June 2022.
- (3) Sandi Graham was advised by the licensing section at Police Scotland of her requirements as a premises licence holder.
- (4) Sandi 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.

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

**Decided:** to note the report.

#### **7. Revocation of Personal Licences**

There was submitted a report (issued) of 10 August 2022 by the Clerk to the Licensing Board advising the Board of revocation of personal licences.

**Decided:** to note the terms of the report.

#### **8. Premises Licences Ceasing to Exist**

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

| <b><u>Premises</u></b>                          | <b><u>Reason for Ceasing to Exist</u></b>                               |
|---|---|
| Ellisland<br>19 Racecourse Road<br>Ayr          | The property is no longer commercial and will be used for domestic use. |
| Blossom Place<br>41 South Harbour Street<br>Ayr | Company holding licence has been dissolved.                             |

**Decided:** to note terms of the report.

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

There was submitted a report (issued) of 11 August 2022 by the Clerk to the Licensing Board advising of the following determination of applications for the Transfer of a Licence between the last Board meeting and this Board:-

- (1) Old Loans Inn, 31-33 Main Street, Loans; Transferred to M and K Simpson Ltd on 8<sup>th</sup> June 2022.
- (2) McColls, 67/69 Content Street, Ayr; Transferred to Alliance Property Holdings Ltd on 14<sup>th</sup> June 2022.
- (3) McColls, 2/4 Westwood Crescent, Ayr; Transferred to Alliance Property Holdings Ltd on 14<sup>th</sup> June 2022.
- (4) McColls, 51-55 Berelands Road, Prestwick; Transferred to Alliance Property Holdings Ltd on 14<sup>th</sup> June 2022.
- (5) McColls, 106 Dalrymple Street, Girvan; Transferred to Alliance Property Holdings Ltd on 14<sup>th</sup> June 2022.
- (6) Morrisons Dailly, 6 Bridge Street, Dailly; Transferred to Alliance Property Holdings Ltd on 14<sup>th</sup> June 2022.
- (7) Mainholm Stores, 2 Mainholm Road, Ayr; Transferred to Paramijit on 30 June 2022.
- (8) Westcliffe Hotel, 15 Louisa Drive, Girvan; Transferred to Elizabeth Brown on 19 July 2022.

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

## 10. **Licensing (Scotland) Act, 2005**

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

| <b><u>Applicant</u></b> | <b><u>Premises</u></b>       |
|-------------------------|------------------------------|
| Maz Mini Market Ltd     | 17 Station Road<br>Mossblown |

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

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 'Mossblown Town'.

The applicant's representative advised that the application had been amended slightly and that the alcohol display marked 'D' had been removed and therefore the new capacity measures 21.12m<sup>2</sup>.

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:

| <b><u>Applicant</u></b>             | <b><u>Premises</u></b>                                    |
|-------------------------------------|---|
| (1) Prestwick St Cuthbert Golf Club | Prestwick St Cuthbert Golf Club<br>East Road<br>Prestwick |

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

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

**Decided:** to grant the above application.

| <b><u>Applicant</u></b>    | <b><u>Premises</u></b>  |
|----------------------------|---|
| (2) Crosshill Bowling Club | Crosshill Bowling and Social Club<br>56 Kirkmichael Road<br>Crosshill |

Having previously declared an interest in this application, Councillor Brennan-Whitefield left the meeting at this point.

|           | 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 |

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

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

**Decided:** to grant the above application.

Councillor Brennan-Whitefield re-joined the meeting at this point.

**Applicant**

**Premises**

(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

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

**Decided:** to grant the above application subject to the addition of the following conditions:-

- (1) Adult entertainment is restricted to the 1<sup>st</sup> floor of the building and the licence holder should ensure that no external viewing of the event or function is possible.
- (2) Any performers in relation to adult entertainment should change into their costume within the area on the 1<sup>st</sup> floor of the building.
- (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 1<sup>st</sup> floor and entry to the area must be monitored by a staff member.
- (4) Functions and events containing adult entertainment are restricted to those aged 18 and over.

- (5) Any function containing adult entertainment must be by invitation only; and any event advertised by the premises containing adult entertainment must be by advance ticket sales only, and not available to enter by purchasing a ticket at the door.

**Applicant**

**Premises**

(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.

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

**Decided:** to grant the above application.

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

**Application Number**

**Applicant**

(1) SA/22/00058/LAPRS

Thomas James Fitzpatrick

The Board, having considered the observation by Police Scotland and the report from the Clerk and in the absence of the applicant;

**Decided:** to refuse this application on the grounds that having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a personal licence.

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

| <u>Applicant</u> | <u>Date</u>                                     | <u>Premises</u>                                       |
|------------------|---|---|
| (1) Nan Li       | 12 <sup>th</sup> October 2022<br>12:00 – 01:00* | Brand Induction Trip<br>Blairquhan Castle<br>Straiton |

\*Outwith Board Guidelines

Having heard from the applicant and the Licensing Standards Officer, the Board;

**Decided:** to grant the above application.

| <u>Applicant</u> | <u>Date</u>  | <u>Premises</u>                          |
|------------------|--|--|
| (2) Nan Li       | 16 <sup>th</sup> to 18 <sup>th</sup> September 2022<br>Friday 15:00 – 00:00<br>Saturday 12:00 – 01:00* | Wedding<br>Blairquhan Castle<br>Straiton |

\*Outwith Board Guidelines

Having heard from the applicant and the Licensing Standards Officer, the Board;

**Decided:** to grant the above application.

| <u>Applicant</u> | <u>Date</u>  | <u>Premises</u>                          |
|------------------|--|--|
| (3) Nan Li       | 14 <sup>th</sup> to 16 <sup>th</sup> October 2022<br>Friday 15:00 – 00:00<br>Saturday 12:00 – 01:00* | Wedding<br>Blairquhan Castle<br>Straiton |

\*Outwith Board Guidelines

Having heard from the applicant and the Licensing Standards Officer, the Board;

**Decided:** to grant the above application.

| <u>Applicant</u>       | <u>Date</u>                                    | <u>Premises</u>   |
|------------------------|--|---|
| (4) Alastair McClymont | 27 <sup>th</sup> August 2022<br>14:00 – 01:00* | Wedding and Evening Reception<br>The Marquee<br>The Haybarn Field<br>Balluskie Farm<br>Barrhill |

\*Outwith Board Guidelines

Having heard from the Licensing Standards Officer, the Board;

**Decided:** to grant the above application.

| <u>Applicant</u>             | <u>Date</u>  | <u>Premises</u>  |
|------------------------------|--|--|
| (5) Peter Boyle Bowling Club | 16 <sup>th</sup> and 17 <sup>th</sup> September 2022<br>Friday 11:00 – 22:00<br>Saturday 11:00 – 23:00 | Ayr Gold Cup Festival<br>Peter Boyle Bowling Club<br>Craigie Park<br>Craigie Road<br>Ayr |

The representative advised that the Peter Boyle Bowling Club had retracted their request to include access for under 18's at the event.

Having heard from the applicant and the Licensing Standards Officer, the Board;

**Decided:** to grant the above application, as amended with the following additional conditions:

- (1) There shall be no access to the premises permitted for Children and Young Persons under the age of 18 years.
- (2) The licence holder shall carry out a risk assessment prior to the event with their stewarding company to assess the appropriate number and location of stewards at the venue.

| <b><u>Applicant</u></b> | <b><u>Date</u></b>                               | <b><u>Premises</u></b>   |
|-------------------------|--|--|
| (6) Ross Donald         | 15 <sup>th</sup> September 2022<br>11:00 – 19:00 | Ayr Gold Cup Festival<br>Ayr Racecourse<br>Whitletts Road<br>Ayr |

Having heard from the applicant and the Licensing Standards Officer, the Board;

**Decided:** to grant the above application

| <b><u>Applicant</u></b> | <b><u>Date</u></b>                               | <b><u>Premises</u></b>   |
|-------------------------|--|--|
| (7) Ross Donald         | 16 <sup>th</sup> September 2022<br>11:00 – 19:00 | Ayr Gold Cup Festival<br>Ayr Racecourse<br>Whitletts Road<br>Ayr |

Having heard from the applicant and the Licensing Standards Officer, the Board;

**Decided:** to grant the above application.

| <b><u>Applicant</u></b> | <b><u>Date</u></b>                               | <b><u>Premises</u></b>   |
|-------------------------|--|--|
| (8) Ross Donald         | 17 <sup>th</sup> September 2022<br>11:00 – 19:00 | Ayr Gold Cup Festival<br>Ayr Racecourse<br>Whitletts Road<br>Ayr |

Having heard from the applicant and the Licensing Standards Officer, the Board;

**Decided:** to grant the above application subject to the following additional condition:-

- (1) There shall be no access permitted for Children and Young Persons under the age of 18 years to the additional bar areas covered by the Occasional Licence, and additional signage shall be provided at these locations confirming this.



| <u>Applicant</u>    | <u>Date</u>   | <u>Premises</u>  |
|---------------------|---|--|
| (9) Christine Deans | 25 <sup>th</sup> to 28 <sup>th</sup> August 2022<br>Every day 10:00 – 19:00 | Retail Selling of Alcohol<br>Heads of Ayr Caravan Park<br>Dunure Road<br>Ayr |

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

**Decided:** to grant the above application, and confirmed to the applicant's solicitor that any further applications for occasional licences for Heads of Ayr Caravan Park Shop will require to be heard by the Board and not be granted under delegated powers, while any premises licence application is being progressed.

11. **Closing Remarks.**

The Chair thanked everyone in attendance and concluded the meeting.

The meeting ended at 12:02 p.m.