

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

13 October 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 Thursday, 27 October 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, will be live-streamed and available to view at <https://south-ayrshire.public-i.tv/>

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 – Thursday 24 November 2022 at 10:00 a.m.
3. Minutes of previous meeting of Thursday 22 September 2022.
(copy herewith)

4./

4. Chief Constables Report 2021-2022 (Copy herewith) Pages 6 to 15
5. Report by Licensing Standards Officer.
6. Personal Licences Revoked – Submit report by Clerk to The Licensing Board (copy herewith). Pages 16 to 17
7. Transfers Granted Under Delegated Powers – Submit Report by Clerk to the Licensing Board (copy herewith). Page 18
8. **Licensing (Scotland) Act 2005**
 - (a) Applications for the Provisional Grant of a Licence (copy herewith). Pages 19 to 25
 - (b) Application for Variation of Premises Licence (copy herewith). Page 26
 - (c) Application for Extended Hours (copy herewith). Page 27
9. 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 22 September 2022 at 10.00 a.m.

Present: Councillors William Grant (Chair), Laura Brennan-Whitefield, Martin Kilbride, Gavin Scott and Duncan Townson.

Present
Remotely: Councillor Stephen Ferry.

Apology: Councillor Bob Pollock.

Attending: K. Briggs, Service Lead – Legal and Licensing and Depute Clerk to the Licensing Board; C. Andrew, Licensing Standards Officer; J. McClure, Committee Services Lead Officer, C. McCallum, Committee Services Assistant; and E. Moore, Committee Services Assistant.

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

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

2. Date of Next Board Meeting

The Chair advised that the next Board meeting would be held on Thursday 27 October 2022 at 10.00 a.m.

3. Minutes of Previous Meeting

The Minutes of the Meeting of South Ayrshire Licensing Board of 24 August 2022 (issued) were submitted.

Decided: to approve the Minutes of the previous meeting.

4. Update by Licensing Standards Officer

The Licensing Standards Officer advised:

- (1) that the Gold Cup race meeting at Ayr Racecourse had taken place last weekend which Board Members had attended on the Friday to observe the layout and how each area was staffed; and it had been positive to note that a number of requests and suggestions from consultation with the Premises Manager had been taken on board and new signage and information packs had been clearly visible;
- (2) that she had attended the Gold Cup race meeting on Saturday with Police Scotland and was pleased to report that no direct complaints had been received following the meeting;

- (3) that, as with the hospitality trade in general, staffing continued to be a challenge and she was aware that the Premises Manager was constantly considering the best approach for the future; and that she would continue to work with the racecourse in a positive way and would be involved in the early preparations for the Scottish National in 2023;
- (4) that, despite ongoing media reports regarding the financial challenges for the hospitality trade, she was pleased to report that new operators continued to open licensed premises in South Ayrshire and existing operators were keen to expand which was very positive; that there continued to be investment in licensed premises and, with many renovations, re-decorations, menu ideas and food offerings, there was a wide variety of choice available;
- (5) that the trade were approaching a traditionally quieter time in advance of the festive period and she had been advising operators and managers to use this time to ensure that staff training was up-to-date and met the legal requirements;
- (6) that operating plans must allow for any activities taking place within the premises and that she was aware that many businesses were currently in the process of making application to vary these in coming months to allow greater flexibility for the future; and
- (7) that as the past two years had changed many things within the hospitality trade and many operators remained unsure of what temporary legislation and requirements remained in force from licensing and other related legislation and departments, she was currently working with a local Police Inspector to organise an 'Information Event' for the trade pre-Christmas to allow her to provide information and support to the local licensed trade; and that she would advise the Board of the details for this event at the next Board meeting.

Having advised that the visit to Ayr Racecourse had proved very worthwhile and having commended the Licensing Standards Officer for organising the 'Information Event', the Board

Decided: to thank the Licensing Standards Officer for her report.

5. **Revocation of Personal Licences**

There was submitted a report (issued) of 8 September 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 8 September 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:-

- The Carrick, 15 Whitehall, Maybole; Transferred to Sandi Graham on 15 August 2022.

Decided: to note the transfer granted under delegated powers.

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

(a) **Application for Variation of a Premises Licence**

The Board considered the following applications:

		<u>Applicant</u>		<u>Premises</u>		
		(1) Truestone Ark Limited		Truestone Ark Limited Glenapp Castle Ballantrae		
		Existing Licensed Hours		Proposed Licensing Hours		
	On Sales		Off Sales	On Sales	Off Sales	
Monday		11:00 – 23:00		11:00 – 01:00	N/A	
Tuesday		11:00 – 23:00		11:00 – 01:00	N/A	
Wednesday		11:00 – 23:00		11:00 – 01:00	N/A	
Thursday		11:00 – 23:00		11:00 – 01:00	N/A	
Friday		11:00 – 23:00		11:00 – 01:00	N/A	
Saturday		11:00 – 23:00		11:00 – 01:00	N/A	
Sunday		12:30 – 11:00		11:00 – 01:00	N/A	

Amend core hours as above.

Festive Season additional hour.

Conference facilities outwith licensed hours.

Receptions included outwith licensed hours. Recorded music, live performances and dance facilities included outwith licensed hours.

Restaurant facilities available from 7.30 a.m. to 12 midnight but no alcohol served outwith licensed hours. Marquee weddings added to the list of other activities.

Incorporation of The Glass House/Azalea Restaurant within the Premises Licence area together with external patio area and a lawn area adjacent to the castle.

Children and young persons permitted to be on the premises for the purpose of taking a meal or attending a function and will require to be in the company of an adult.

Having heard from the applicant's representative, the Board granted the above application.

(2) Dobbies Garden Centres PLC

Dobbies Garden World
Old Toll
Holmston
Ayr

Variation of operating plan to include the activities – receptions etc under Section 5b of the operating plan.

Having heard from the applicant's representative, the Board granted the above application.

(b) Application for the Grant of an Occasional Licence

	<u>Applicant</u>	<u>Date</u>	<u>Premises</u>
(1)	Alastair McClymont	24 September 2022 For 21st Birthday Party	The Marquee The Front Field Stafflar Farm Craigie

Having heard from the Licensing Standards Officer, the Board granted the above application.

(2)	Christine Deans	23 September 2022 To 6 October 2022 Every day 10:00 to 19:00 Retail Sale of Alcohol	Heads of Ayr Caravan Park Dunure Road Ayr
(3)	Christine Deans	7 October 2022 To 20 October 2022 Every day 10:00 to 19:00 Retail Sale of Alcohol	Heads of Ayr Caravan Park Dunure Road Ayr
(4)	Christine Deans	21 October 2022 To 3 November 2022 Every day 10:00 to 19:00 Retail Sale of Alcohol	Heads of Ayr Caravan Park Dunure Road Ayr

Having heard from the Licensing Standards Officer and the applicant's representative, the Board granted the above applications (2) to (4) and agreed that any subsequent Occasional licence applications received for the premises pending submission and determination of a full premises licence application could be dealt with under delegated powers by the Depute Clerk to the Board, where there were no objections.

(c) Applications for Extended Hours

	<u>Applicant</u>	<u>Premises</u>
(1)	Number Forty Seven	Number Forty Seven 47 Templehill Troon

06/10/22 to 08/10/22 – 2.30 a.m. to 3.30 a.m. – 21st Annual CAMRA Real Ale Festival.

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

Applicant

Premises

(2) Prestwick Golf Club

Prestwick Golf Club
2 Links Road
Prestwick

02/10/22 – 9.00 a.m. to 10.00 a.m. – Member and Guests Day

The Board heard from Licensing Standards Officer and from the applicant's representative in relation to this application.

The Board then refused the above application on the grounds that this application was inconsistent with the Licensing Objective "Protecting and Improving Public Health".

8. Closing Remarks.

The Chair thanked everyone in attendance and concluded the meeting.

The meeting ended at 10.45 a.m.

Agenda Item No. 4

SOUTH AYRSHIRE Licensing Report 2021 - 2022



**POLICE
SCOTLAND**
Keeping people safe

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Foreword

It gives me great pleasure to provide the Annual Licensing Report for 2021/22, in accordance with Section 12(A) Licensing (Scotland) Act 2005. Throughout this year Local Authorities and Police Scotland worked hard to support licensed premises in their road to recovery as Covid-19 restrictions were being lifted.

Collaboration is vital to ensure these businesses can flourish, providing much needed employment for our communities as well as a safe environments for people to socialise. Police Scotland will continue to work closely with Local Authorities, as well as other stakeholders, to ensure there is a fair and consistent approach across all 32 Local Authorities throughout Scotland to aid this recovery. Preventing alcohol fuelled violence, disorder and antisocial behaviour remains a priority for Police Scotland and I believe that working together we can reduce this through early intervention and enforcement.

I would like to take this opportunity to thank our local partnerships and the good work they carry out. With their support Police Scotland and partners can continue to drive improvements in licensing. I will continue to ensure that all officers and staff recognise the importance of working together with key partners, including the Licensing Trade, in an effort to improve licensing standards nationally.

Mr Iain Livingstone QPM
Chief Constable
Police Service of Scotland

Police Scotland Licensing Overview –

The Violence Prevention and Licensing Co-ordination Unit (VPLCU) sits within Safer Communities based at Dalmarnock Police Station, Glasgow.

The VPLCU upholds the two tier structure for licensing which supports both national and local priorities through service delivery. They have overall responsibility for determining and delivering national licensing strategy and policy, by providing advice, guidance and support to divisional licensing teams as well as undertaking other specialist functions.

The Violence Prevention and Licensing Co-ordination Unit is a specialist department which consists of a small team of officers, based in Glasgow. The officers within the unit work with divisional licensing teams and partner agencies to help shape policy and strategy around the police licensing function. They provide practical and tactical advice to police licensing practitioners, operational officers, supervisors and policing commanders.

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The VPLCU seek to ensure that legislation governing the sale and supply of alcohol is applied consistently across the country and all opportunities are taken to stop the illegal or irresponsible sale, supply or consumption of alcohol with the intention of preventing and reducing crime and disorder.

During 2021/2022, from a licensing perspective, our particular focus was on the following;

- Scrutiny of the serious incidents of violence, disorder and antisocial behaviour linked to licensed premises.
- Working closely with Licenced Premises and Scottish Government to navigate the challenges of the COVID-19 pandemic through the 4Es approach by engaging, explaining, educating and enforcing.
- Governance and ongoing development of the National ICT Licensing System, known as “Inn Keeper”, to increase the efficiency and effectiveness of liquor and civic licensing administration and management. Police Scotland are currently working on upgrade to the National ICT system to ensure compliance with GDPR legislation.

Each of the 13 Local Policing Divisions have a licensing team responsible for the day to day management of licensing administration, complying with statutory requirements as well as addressing any issues that may arise within licensed premises in their local area.

LICENSING BOARD AREA

The Licensing Board area is policed by South Ayrshire Sub-Division. Chief Superintendent Faroque Hussain is the Local Police Commander who has the responsibility for all day-to-day policing functions.

Senior Officers

The senior officers who hold responsibility for licensing within the area of South Ayrshire are as follows;

Chief Inspector Kevin Lammie
T/Inspector Darren Muir
Sergeant Sheryl Syme

Area Commander
Head of the Licensing Department
Licensing Department

Local Policing Priorities

Following our public consultation process, the policing priorities for South Ayrshire Sub-Division as set out in our Local Policing Plan area as follows:

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- Serious and Organised Crime
- Safer Communities
- Acquisitive Crime
- Community Wellbeing
- Road Safety

Description of Board Area

There are a total of 388 Licensed Premises in South Ayrshire:

106 On-Sales

165 On/Off Sales

117 Off-Sales

OPERATION OF THE LICENSING (SCOTLAND) ACT 2005

Alcohol pervades across a wide range of issues in our society and, as you know, is often a factor in violence, domestic abuse and anti-social behaviour; incidents that the Police Service of Scotland deals with every day in each area of the country. Therefore, licensed premises are carefully monitored with all incidents in and around such premises scrutinised to ensure compliance with the licensing objectives, resulting in a greater knowledge and understanding of potential problematic premises.

A problem solving approach is implemented in conjunction with the Premises Licence Holder and Designated Premises Managers. Premises that continue to fall below expected standards can be subject of formal police interventions and in some cases, a review being submitted to the Licensing Board.

Ayrshire Divisional Licensing Department utilises the Innkeeper database to highlight monitored and problematic premises, this allows our officers to focus their attention on the premises requiring the most support and attention.

Board Decisions

Application for Review of Licence

In the South Ayrshire Board Area during the reporting year, there have been two premises licence reviews submitted to the South Ayrshire Licensing Board by Police Scotland.

Applications for Premises Licences and Licence Variations

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All applications for premises licences and licence variations are carefully considered in line with current policy and legislation, paying particular attention to the Licensing Objectives. There have been no objections submitted to South Ayrshire Licensing Board by Police Scotland.

Personal Licences

Personal licences are carefully considered by Ayrshire Division Licensing in line with policy and legislation before being returned to the local authority. In the reporting period, there have been two objections submitted to South Ayrshire Licensing Board by Police Scotland.

Formal Police Interventions

Our focus is to improve the safety and wellbeing of people, places and communities in South Ayrshire by focusing on keeping people safe. This is done by local officers who are proactively identifying and addressing concerns regarding licensed premises at an early stage. Through early intervention and working in partnership with Designated Premise Managers and Premise Licence Holders, areas of concern have been successfully resolved without the requirement for a premises or personal licence review.

There is only one premises within the South Ayrshire Board Area that have been subject of a formal intervention agreement in the reporting year. These agreements are entered into between Premises Licence Holders and Police Scotland and set out areas in which improvement could be made. Each agreement is monitored and reviewed within a specific timescale to ensure that the necessary improvements have been implemented.

The formal intervention process should result in an improvement in standards and practices. The process also ensures that Police Scotland utilises a fair and evidence based approach prior to pursuing a formal review of a Premises Licence if agreed terms are not being complied with or if there are recurring issues.

PREVENTING THE SALE OR SUPPLY OF ALCOHOL TO CHILDREN OR YOUNG PEOPLE

In South Ayrshire there have been no reports submitted to the Procurator Fiscal for contravention of Section 102 of the Licensing (Scotland) Act 2005, which relates to the sale of alcohol to a child or young person.

Locality Policing and campus officers are exploring the possibilities of returning the Test Purchase Scheme that was previously delivered and was an effective tool to address such issues when they were identified within our communities.

TACKLING SERIOUS AND ORGANISED CRIME

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Serious and Organised Crime (SOCG) presents a clear threat to the Ayrshire Licensing trade and legitimate economy. As a result, Ayrshire Division continues to target known criminality in this area as well as attempting to reduce the opportunity for individuals to exploit legitimate licensing opportunities for their own illegitimate means.

Licensing staff work closely with Divisional Intelligence teams to explore intervention opportunities against Serious and Organised Crime Groups.

At this current time, there is 4 Serious Organised Crime Group being managed by Ayrshire Division with this group having a known interest in a business requiring some form of licence to operate. Not all groups are based in South Ayrshire but they all operate on a pan-Ayrshire basis.

This involvement in the licensing trade is often a direct result of the expertise or experience of an individual from their group in that business sector, and/or the chosen business, providing an ability to launder criminal proceeds.

Officers in South Ayrshire continue to carry out targeted premises visits whenever possible to ensure that all license conditions are being complied with. Such visits will also involve a range of partner agencies including;

HMRC, DVSA, DVLA, Scottish Power, SEPA, South Ayrshire Council, SIA and others.

Within South Ayrshire, continued scrutiny of problematic premises has in the past had positive results. Licensed premises throughout Ayrshire usually positively engage with Police by not only reporting incidents that occur within the Licensed Premise, but incidents that occur out with the premise, ensuring public safety.

DIVISIONAL LICENSING

Officers within South Ayrshire continued to submit details of inspections of licenced premises on the Inn Keeper system to ensure on and off sale activity was captured. These highlighted positive and negative incidents and assisted in identifying problematic premises and good practices.

Interrogating of police systems assists in identifying individuals connected with the licensing process who are involved in criminality and allow for appropriate early intervention.

Divisional licensing staff monitor reported offences on licensed premises ensuring exclusion order requests are included in police reports for consideration by the courts.

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In 2021 South Ayrshire locality Inspectors along with the local authority licensing standards officer implemented meetings with the licensing trade. These meetings have been well received and allow for the opportunity to discuss any concerns, emerging issues as well as offering prevention and re-assurance messages. These planned meetings will continue throughout 2022/23.

PROPOSED ACTIVITY FOR THE YEAR AHEAD

South Ayrshire Sub-Division will continue to focus on “Keeping People Safe” and will work collaboratively with the licensed trade, partners and local communities to improve standards and compliance across the licensed trade and actively targeting;

- excess alcohol consumption
- vulnerability due to excess alcohol consumption
- sale and supply of alcohol to children and young people
- incidents of crime and offending connected to sale of alcohol

Operation Inver

Operation Inver is a partnership approach to ensure a focussed and proportionate response to support the night time economy in South Ayrshire.

The overarching objective during this time will be to Keep People Safe. The following strategy is implemented for this operation:

- Maximise the safety of the public.
- Minimise disruption to the local communities.
- Ensure public order is maintained, addressing alcohol related violence and anti-social behaviour, particularly in and around licensed premises.
- Ensure licensed premises comply with the current legislation.
- Ensure positive and negative interactions with licensed premises are accurately logged.

Officers are tasked with specific duties including visits to licensed premises to ensure that licensing legislation and responsibilities expected by managers and staff as contained within their license is complied with, and that any instances of anti-social behavior in and around licensed premises is dealt with accordingly.

In engaging members of the public the policing style adopted is friendly and engaging whilst robustly dealing with any instances of anti-social behaviour.

Operation Inver is further enhanced on Saturday nights with the deployment of Taxi marshals, Street pastors and St Andrews Ambulance.

FOCUS ON VULNERABILITY AND DUTY OF CARE IN THE NIGHT TIME ECONOMY – Bystander Training.

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Divisional Licensing staff are due to commence Bystander training in South Ayrshire in May 2022. This is training offered to Licensed premises to raise the awareness of preventing incidents of vulnerability and related crime, promoting safety by identifying the signs of vulnerability at the earliest opportunity, minimising the risk to themselves or members of the public by:

- Understanding what Vulnerability is
- Recognise the impact factors
- Identify those who may be vulnerable
- Understanding what our duty of care is
- Practical information

NATIONAL PERSPECTIVE

Our priorities and policing plans continue to be shaped by the objectives contained within the Scottish Government's Strategic Objectives and National Outcomes and the Strategic Police Plan that are delivered locally through single outcome agreements.

Consultation and engagement is combined with our own analysis of the issues likely to impact on the safety of the public to inform our local and national strategic assessments which identify our priorities and provide a firm evidence base for local policing teams across Scotland to deliver operational plans to prevent crime and disorder and keep people safe.

Our National Priorities are:

- Violence Disorder and Anti-social Behaviour
- Serious Organised Crime
- Road Safety and Road Crime
- Protecting People at Risk of Harm
- Counter Terrorism

To conclude we would like to thank you for your continued support during what has been a challenging year for all. We have all had to adapt to a new way of working and ever changing circumstances which has been embraced by all.

We look forward to a safe and healthy 2022/2023.

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SOUTH AYRSHIRE COUNCIL

**REPORT BY THE CLERK
TO THE LICENSING BOARD
OF 27 OCTOBER 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 6 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. 13th October 2022

South Ayrshire Licensing Board

Revoked Personal Licences - Sorted by Name

for the period 03/10/2022 to 03/10/2022

<u>Name</u>	<u>Personal Licence</u>	<u>Date Revoked</u>
Miss Tracey Marie Brinsley	SA/17/00074/LAPRS	03/10/2022
Miss Anna Kowalska	SA/17/00086/LAPRS	03/10/2022
Mr Christopher Letford	SA/17/00078/LAPRS	03/10/2022
Mr Robbie Andrew McIntyre	SA/17/00081/LAPRS	03/10/2022
Miss Vivien Paton	SA/17/00075/LAPRS	03/10/2022
Miss Nicola Reid	SA/17/00079/LAPRS	03/10/2022

Number of Licences Revoked: 6



**REPORT BY CLERK TO THE LICENSING BOARD
TO LICENSING BOARD OF 27 OCTOBER 2022**

**SUBJECT: APPLICATIONS FOR TRANSFER GRANTED BETWEEN 22 SEPTEMBER 2022
AND 27 OCTOBER 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) 39 Portland Street, Troon

The above premises licence was transferred to Rimini Holdings Ltd on 3rd October 2022

(2) Brig O'Doon Hotel, Alloway, Ayr

The above premises licence was transferred to RAD Limited on 3rd October 2022.

(3) 127 Deveron Road, Troon

The above premises licence was transferred to CJ Lang and Son Limited on 12th October 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. 13th October 2022



**REPORT BY THE CLERK TO THE
LICENSING BOARD OF 27th OCTOBER 2022**

SUBJECT: APPLICATION FOR PROVISIONAL PREMISES LICENCE	TH DALLING 5 BURNS STATUE SQUARE AYR KA7 1SU
APPLICANT	TH DALLING LIMITED 5 BURNS STATUE SQUARE AYR KA7 1SU

APPLICATION REPORT

1. Background:

An application for a provisional premises licence for a retail shop.

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

The premises currently operate as a tobacconist store and wish to have a small, specialist alcohol offering to complement this.

The applicant is seeking an alcohol display area of 9.14 square metres which has been agreed with Building Standards.

2. Reports

There have been no objections or representations.

Section 50 Certificate from Planning has been lodged along with the application.

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

The applicant has provided details of how they will meet the licensing objectives – Appendix 2.

3. Board Options

The Board should establish what it considers to be locality. Generally, in this area the Board has considered a radius of 500 metres. The premises in that area are:-

Address	Capacity
Drinks Cellar 17-19 Burns Statue Square Ayr	Off Sale – 22.6m2
Morrisons Cattle Market Castlehill Road Ayr	Off Sale - 215.42m2
Mota's Indian Restaurant 54 Alloway Street Ayr	On Sale – 60 persons
Ayrshire & Galloway Hotel 1 Killoch Place Ayr	On Sale – 225 persons
Budds Bar 6-7 Union Arcade Burns Statue Square Ayr	On and Off Sale – 60 persons
Crumbs and Cocktails 58 Kyle Street Ayr	On and Off Sales – 128 persons
Tempura 13 Beresford Terrace Ayr	On and Off Sales – 55 persons
Hotel Kylestrome Bar and Grill 11 Miller Road Ayr	On and Off Sales – 201 persons
LA Bowl 17 Miller Road Ayr	On Sale – 300 persons
Lychees Ayr 17 Miller Road Ayr	On Sale – 250 persons
Market Inn 2 Castlehill Road Ayr	On and Off Sale – 160 persons
Matha Dickies 20 Smith Street Ayr	On and Off Sale – 60 persons
Mr Basrai's World Buffet And Bar 5 Beresford Terrace Ayr	On Sale – 222 persons
The Drunken Coo 22 Beresford Terrace Ayr	On and Off Sale – 130 persons
O'Briens 56 Smith Street Ayr	On and Off Sale – 84 persons
Rabbies Bar 23 Burns Statue Square Ayr	On and Off Sale – 270 persons
Smiths 13 Dalblair Road Ayr	On and Off Sale – 300 persons
The Ghillie Dhu 11 Burns Statue Square Ayr	On and Off Sales – 100 persons

The Growler 2 Beresford Terrace Ayr	On and Off Sale – 100 persons
Twa Dugs 4 Killoch Place Ayr	On and Off Sales – 100 persons
Tudor Restaurant 8 Beresford Terrace Ayr	On Sale – 90 persons
Vitos 25 Burns Statue Square Ayr	On and Off Sale – 100 persons
Wishing Well 55 Alloway Street Ayr	On Sale – 30 persons

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. Excluded premises are defined as premises used as a garage or which form part of premises which are so used. Premises are used as a garage if they are used for one or more of the following-
 - (b) the sale by retail of petrol or derv
 - (c) the sale of motor vehicles, or
 - (d) the maintenance of motor vehicles

However, premises used for the sale by retail of petrol or derv, or which form part of premises so used, are not excluded premises if persons resident in the locality in which the premises are situated are, or are likely to become, reliant to a significant extent on the premises as the principal source of –

- (i) petrol or derv, or
- (ii) groceries (where the premises are, or are to be, used also for the sale by retail of groceries).

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

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

(E) 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 13th October 2022

SCHEDULE

“SCHEDULE 6

Regulation 7

DISABLED ACCESS AND FACILITIES STATEMENT

*Licensing (Scotland) Act 2005, section 20(2)(b)(ia)***Question 1****Disabled access and facilities**

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

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

Question 2**Disabled access to, from and within the premises**

Please provide clear and detailed description of how accessible the premises are for disabled people. e.g. ramps, accessible floors, signage.

Entry to the premises is by a single door from the pedestrian footway outside. There is small 90mm step where there is a ramp allowing wheelchair access onto the shop floor which is level throughout.

Question 3

Facilities available

Please describe in detail the facilities provided for disabled people. e.g. disabled toilets, lifts, accessible tables.

Question 4

Other provisions

Please provide details of any other provisions made to aid the use of the premises by disabled people. e.g. assistance dogs welcome, large print menus.

Licensing Objectives

Protecting Children from Harm

- No alcohol lines appealing to children or young persons will be available. This is a specialist shop offering specialist products.
- Staff will undergo Licensing training regularly.
- Challenge 25 will be in operation.

Protecting and Improving Public Health

- Staff will undergo Licensing training regularly.
- Staff will be vigilant and not sell to anyone they suspect to be suffering from alcohol addiction issues.

Preventing Crime and Disorder

- Company Policy is to refuse alcohol sales if it is considered necessary and the staff are not comfortable making the sale whether that is because the customer is aggressive, intoxicated or questionable.
- Staff will undergo Licensing training regularly.

Preventing Public Nuisance

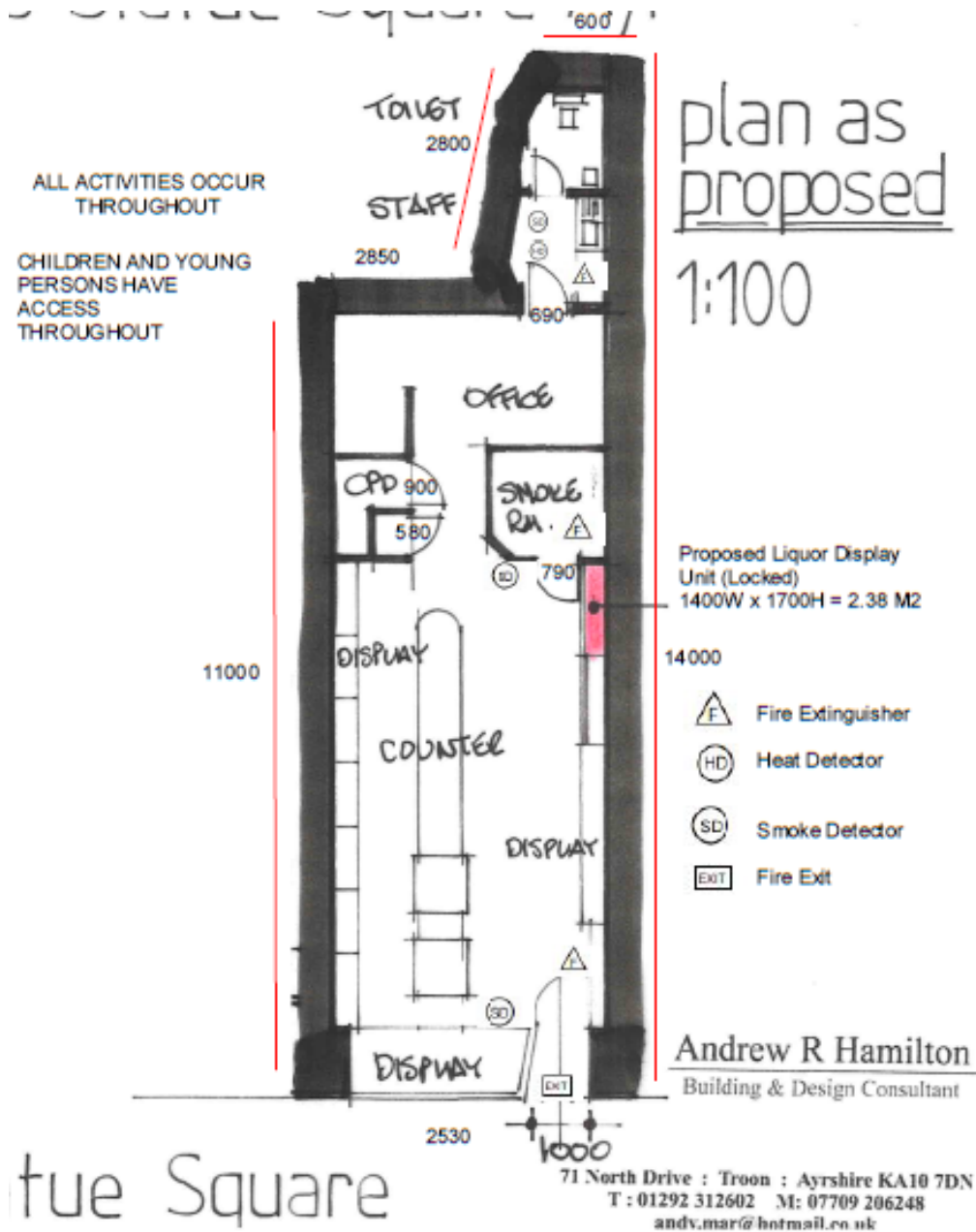
- Staff will undergo Licensing training regularly.

Securing Public Safety

- Staff will undergo licensing training regularly.

Application for Provisional Premises Licence

	Applicant	Premises
1.	T H Dalling Limited	5 Burns Statue Square Ayr
	Retail Sale of Alcohol (Off Premises)	Every day 10:00 – 22:00



Application for Variation of Premises Licence

1.	Sainsbury's SL Limited	Sainsbury's Supermarket 125 Ayr Road Prestwick
<p>To amend the capacity from 158.36 m2 to 158.625 m2 To substitute the layout plan following an internal reconfiguration of the premises which has resulted in a small increase to the capacity.</p>		

2.	Shanter Inns Limited	Market Inn 2 Castlehill Road Ayr																																												
<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2"></th> <th colspan="2" style="text-align: center;">Existing Licensed Hours</th> <th colspan="2" style="text-align: center;">Proposed Licensing Hours</th> </tr> <tr> <th style="text-align: center;">On Sales</th> <th style="text-align: center;">Off Sales</th> <th style="text-align: center;">On Sales</th> <th style="text-align: center;">Off Sales</th> </tr> </thead> <tbody> <tr> <td>Monday</td> <td style="text-align: center;">10:00 – 00:30</td> <td style="text-align: center;">10:00 – 22:00</td> <td style="text-align: center;">10:00 – 00:30</td> <td style="text-align: center;">10:00 – 22:00</td> </tr> <tr> <td>Tuesday</td> <td style="text-align: center;">10:00 – 00:30</td> <td style="text-align: center;">10:00 – 22:00</td> <td style="text-align: center;">10:00 – 00:30</td> <td style="text-align: center;">10:00 – 22:00</td> </tr> <tr> <td>Wednesday</td> <td style="text-align: center;">10:00 – 00:30</td> <td style="text-align: center;">10:00 – 22:00</td> <td style="text-align: center;">10:00 – 00:30</td> <td style="text-align: center;">10:00 – 22:00</td> </tr> <tr> <td>Thursday</td> <td style="text-align: center;">10:00 – 00:30</td> <td style="text-align: center;">10:00 – 22:00</td> <td style="text-align: center;">10:00 – 00:30</td> <td style="text-align: center;">10:00 – 22:00</td> </tr> <tr> <td>Friday</td> <td style="text-align: center;">10:00 – 00:30</td> <td style="text-align: center;">10:00 – 22:00</td> <td style="text-align: center;">10:00 – 00:30</td> <td style="text-align: center;">10:00 – 22:00</td> </tr> <tr> <td>Saturday</td> <td style="text-align: center;">10:00 – 00:30</td> <td style="text-align: center;">10:00 – 22:00</td> <td style="text-align: center;">10:00 – 00:30</td> <td style="text-align: center;">10:00 – 22:00</td> </tr> <tr> <td>Sunday</td> <td style="text-align: center;">12:30 – 00:00</td> <td style="text-align: center;">12:30 – 22:00</td> <td style="text-align: center;">10:00 – 00:30</td> <td style="text-align: center;">10:00 – 22:00</td> </tr> </tbody> </table>				Existing Licensed Hours		Proposed Licensing Hours		On Sales	Off Sales	On Sales	Off Sales	Monday	10:00 – 00:30	10:00 – 22:00	10:00 – 00:30	10:00 – 22:00	Tuesday	10:00 – 00:30	10:00 – 22:00	10:00 – 00:30	10:00 – 22:00	Wednesday	10:00 – 00:30	10:00 – 22:00	10:00 – 00:30	10:00 – 22:00	Thursday	10:00 – 00:30	10:00 – 22:00	10:00 – 00:30	10:00 – 22:00	Friday	10:00 – 00:30	10:00 – 22:00	10:00 – 00:30	10:00 – 22:00	Saturday	10:00 – 00:30	10:00 – 22:00	10:00 – 00:30	10:00 – 22:00	Sunday	12:30 – 00:00	12:30 – 22:00	10:00 – 00:30	10:00 – 22:00
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<p>Amend opening hour on Sunday to 10:00 for on and off sales and 00:30 closing for on sales Addition of gaming machine on operating plan</p>																																														

Applications for Extended Hours

Applicant	Premises	Event	Date Requested	Times Requested
Ultimate Leisure (Scotland) Ltd	Vinyl 1-5 Arthur Street Ayr	Halloween Saturday	29 October 2022	02:30 – 03:30* *Outwith Board Policy
Sprig Ltd	Printhouse 154 High Street Nile Court Ayr	Halloween Saturday	29 October 2022	02:30 – 03:30* *Outwith Board Policy