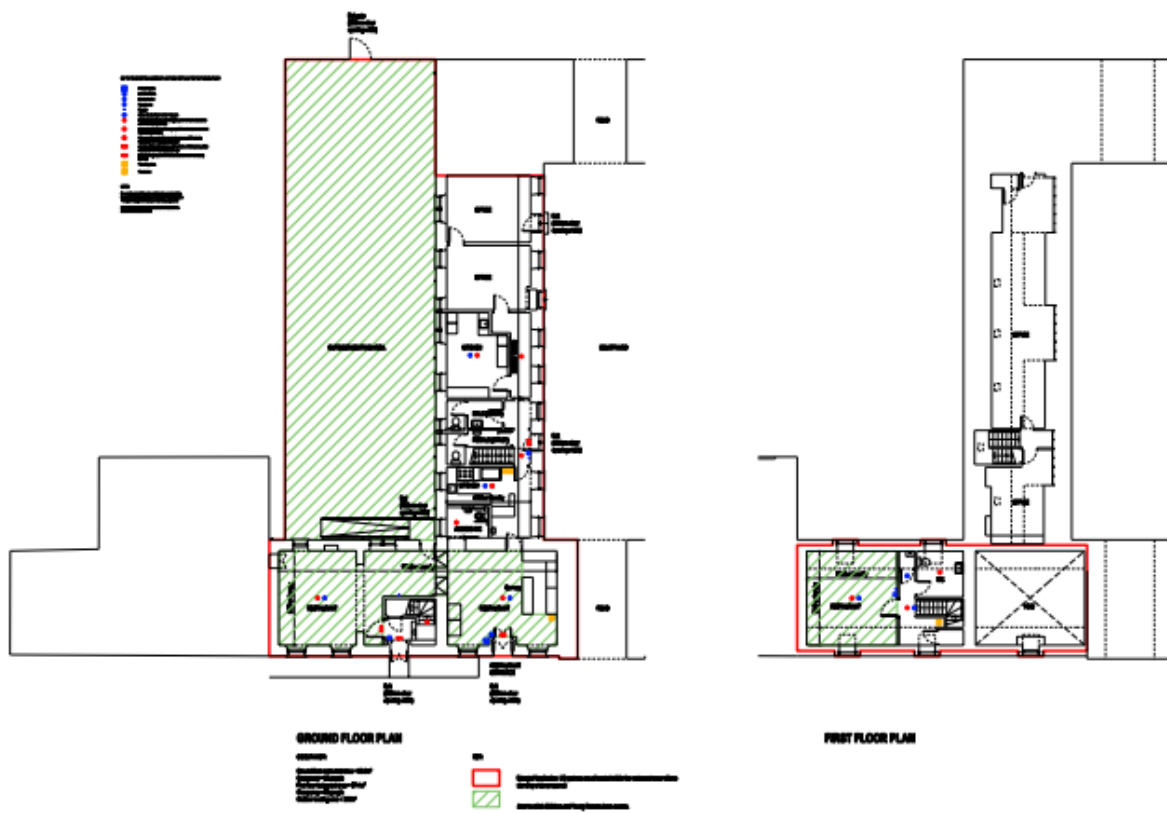


Application for Provisional Premises Licence

Applicant	Premises
1. Patrick Dunne - Agent for James Kirkwood	Clocktower Café Bar 1 Gibbs Yard Auchincruive KA6 5HW
Sale of Alcohol (On Premises)	Every day 10:00 – 00:00





Bòrd-ceadachaidh-Siorrachd-Àir-a-Deas

**REPORT BY THE CLERK TO THE
LICENSING BOARD OF 20 APRIL 2023**

**SUBJECT: APPLICATION FOR
PROVISIONAL PREMISES LICENCE**

**CLOCKTOWER CAFÉ BAR
1 GIBBS YARD
AUCHINCUIVE
AYR
KA6 5HN**

APPLICANT

**JAMES KIRKWOOD
45 CORTON LEA
AYR
KA6 6GJ**

APPLICATION REPORT

1. Background:

An application for a provisional premises licence for a restaurant.

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

The Clock Tower restaurant describes itself as a family friendly bistro/café bar.

The applicant is seeking a capacity of 20 persons on the ground floor and 20 persons on the first floor, 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. There are no premises in that area.

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) 612416
Date 6th April 2023

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	YES
1(c)	Do you have any other provisions available to aid the use of the premises by disabled people	YES
<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.

Level access to the premises capable through two front doors as well as via newly installed ramp to the rear entrance. Main restaurant seating area, servery area and accessible toilet all on one level giving unrestricted disability access.

Question 3

Facilities available

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

Ground floor accessible toilet has been installed adjacent to main servery area. The toilet has been installed to specification and includes an alarm cord and grab rails in contrasting colour.

Seating in the restaurant is movable facilitating wheelchair access to tables when required

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.

Assistance dogs will be welcomed at the restaurant

Large print menus will be made available on request

Meeting the Licensing Objectives

The Clock Tower Bistro Café/bar Auchincruive

Preventing Crime and Disorder

1. A comprehensive CCTV system is in place
2. A zero tolerance drug policy will be enforced
3. Toilets will be regularly checked
4. Glasses and bottles will be collected on a regular basis
5. Anyone appearing to be under the age of 25 will be asked to provide a passport, photo driving licence or Young Scot/PASS card prior to purchasing alcohol
6. All staff contracts will include requirement that staff will participate fully in the training and refresher courses which will be made available to them.

Preventing Public Nuisance

1. All windows will be kept shut whilst music is being played after 10pm
2. No alcohol will be consumed in the outside area after 10pm
3. Waste receptacles will be provided for smokers and other users of the outside area
4. Regular inspection and cleaning of all external areas
5. Glasses will not be emptied into external bins after 10pm.

Securing Public Safety

1. All members of staff are trained and supervised to ensure public safety
2. Daily inspections of all exit routes and signage are undertaken
3. There are appropriate fire extinguishers in the premises
4. A comprehensive CCTV system is in place
5. Appropriate Health and Safety signage will be displayed
6. There will be disabled access to the premises and sufficient space for wheelchair use
7. An accident book will be maintained.

Protecting and Improving Public Health

1. Posters will be displayed containing sensible drinking messages
2. All members of staff are trained to be aware of the risks of excessive alcohol consumption and when to refuse service.
3. a wide range of non-alcoholic drinks is always available
4. healthier food choices will be available

Protection of Children from Harm

1. All staff will be trained to ensure that only people of the legally required age are able to purchase or consume alcohol
2. No adult entertainment is provided on the premises