

SOUTH AYRSHIRE LICENSING BOARD.

Minutes of a hybrid webcast meeting held on 9 March 2023 at 10.00 a.m.

Present: Councillors William Grant (Chair), Stephen Ferry, Martin Kilbride, Bob Pollock, Gavin Scott and Duncan Townson.

Present
Remotely: Councillor Laura Brennan-Whitefield

Attending: K. Briggs, Service Lead – Legal and Licensing and Depute Clerk to the Licensing Board; L McChristie, Co-Ordinator, Legal and Licencing; C. Andrew, Licensing Standards Officer; Inspector Ian McColl, Police Scotland; C. Buchanan, Committee Services Officer; C. Griffiths, Committee Services Assistant and E. Moore, Committee Services Assistant.

Opening Remarks

The Chair 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 20 April 2023 at 10.00 a.m.

3. Minutes of Previous Meeting

The **Minutes** of the Meeting of South Ayrshire Licensing Board of 12 January 2023 (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, a significant number of extended hours and occasional licence applications had been received since the January Board reflecting the large number of events and activities planned throughout 2023. The LSO highlighted that this was an example of the change to the way that many people were now socialising, with planned events taking over from a regular weekly outing for some groups.
- (2) that a minimum of 28 days notice is required to process, consult on and grant an occasional licence and this information is detailed in the Board's current policy statement. The LSO explained that unfortunately, there had been a few applicants who had failed to adhere to the time requirement resulting in the inability to proceed with their application. The LSO stated that she would like to remind applicants that applications are unable to be accepted outwith the 28 days' notice period.

- (3) the LSO highlighted the exception in the Licensing (Scotland) Act 2005 for funerals and stated that these applications would continue to be processed immediately upon receipt.
- (4) due to the restrictions of the past few years, the South Ayrshire Local Licensing Forum had not been able to operate in full for some time. However, the LSO said she was pleased to report that the Licensing Board Forum had re-started recently and held a successful meeting last month with members of the Trade and local communities.
- (5) The LSO advised that the Licensing Forum were currently working to fill the vacancies for partner agencies, aiming to have a full representation in the next few months. The LSO noted that the next scheduled meeting of the Licensing Forum is later in March, whereby Forum Members hope to consider a response to the Boards policy statement.

5. Revocation of Personal Licences

There was submitted a **report** (issued) of 23 February 2023 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 23 February 2023 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:-

- The 19th Hole, Golf Course Road, Girvan – transferred to Catriona Young on 11th January 2023; and
- Ayr Rugby Club, Millbrae, Alloway – transferred to Millbrae Ltd on 24th January 2023.

Decided: to note the transfers granted under delegated powers.

7. Extended Hours Report by Clerk to the Board

There was submitted a **report** (issued) of 20 February 2023 by the Clerk to the Licensing Board seeking instruction from Board Members on extended hours:-

Having heard from the Licensing Standards Officer and Police Scotland, the Board

Decided:

- (1) to note the terms of the report ;
- (2) to agree that the Coronation of His Majesty King Charles III on Saturday 6th May 2023 is a special event of local or national significance in terms of the Licensing (Scotland) Act 2005 Section 68:
- (3) accordingly to allow licence holders to apply for extended hours under Section 68 of the 2005 Act, for Saturday 6th May; and

- (4) to confirm that, in terms of the Statement of Licensing Policy, all applications for extended hours for more than 1 hour beyond the core hours granted to premises, or for beyond 2.30am, will require to be considered at a Board hearing.

Licensing (Scotland) Act, 2005

8(a) Applications for Occasional Licenses

Applicant

Premises

- (1) Peter Boyle Bowling Club

Peter Boyle Bowling Club
Ayr

Scottish Grand National – 21st April to 22nd April 2023
21st April 2023 – 11:00 a.m. till Midnight
22nd April 2023 – 11:00 a.m. till Midnight

Having heard from the Licensing Standards Officer about the decision taken by the applicant to exclude under 18s from the event, it was noted that the application was therefore granted under delegated powers.

Applicant

Premises

- (2) Ross Donald

Ayr Racecourse
Scottish Grand National
Ayr

Scottish Grand National – 21st April to 22nd April 2023
21st April 2023 – 11:00 a.m. till 20:00 p.m.
22nd April 2023 – 11:00 a.m. till 20:00 p.m.

Having heard from the applicant's representative and the Licensing Standards Officer, the Board granted the above applications with the following conditions:

- a) All alcohol is to be decanted and not served in glassware, bottles or cans (with the exception of the champagne bar/lawn);
- b) A refusals record should be kept at the bar areas as proof of diligence;
- c) Training records should be available for all bar staff and each staff member should wear a badge to identify themselves to the police or LSO;
- d) Drinking water should be available free of charge at identifiable areas; and
- e) No access to be granted to under 18s to the event, with the exception of children of trainers and owners in attendance who will be issued with a pass arrangement to allow access to the parade ring through the stewarded champagne bar/lawn area.

Applicant

Premises

- (4) Steven Mackie

Festival Site
Ayr Low Green

Music Festival – 29th and 30th April 2023
29th April 2023 – 12:00 p.m. till 22:30* p.m.
30th April 2023 – 12:00 p.m. till 22:30* p.m.
*Outwith Board Policy

Having heard from the applicant's representative and the Licensing Standards Officer, the Board granted the above application with the following conditions:

- (1) All alcohol is to be decanted and not served in glassware, bottles or cans;
- (2) A refusals record should be kept at the bar areas and token sales booth/s as proof of diligence;
- (3) Training records should be available for all bar staff and each staff member should wear a badge to identify themselves to the police or LSO;
- (4) Drinking water should be available free of charge at identifiable areas;
- (5) In line with the alcohol management plan, bar areas are to close at 10:00 p.m. with last orders for drinks to be taken at 09:45 p.m. ; and
- (6) The licensed area shall exclude the fenced area around the Big Wheel fairground ride.

The Board also requested that bar areas, bar staff and event area to be checked during a visit by designated persons (Police Scotland or LSO) during Saturday of the weekend event and Members requested that a follow-up report is presented to a future meeting of the Licensing Board.

Applicant

Premises

(5) Fraser MacIntyre

Nile Court
Ayr

Rock The Nile Event (Pop up bar in Nile Court) – 8th April 2023
On Sale - 12:00 p.m. till 22:00 p.m.
Off Sale – 12:00 p.m. till 22:00 p.m.

Having heard from the applicant's representative and the Licensing Standards Officer, the Board refused the above application for Off Sale, and granted the above application for On Sale, with the following conditions:

- (1) A licensed steward is posted at the gate to Blackfriars Court throughout the licence to prevent patrons from entering this area and to allow residents access through Nile Court if/when required;
- (2) A licensed steward is posted at the High Street entrance to Nile Court to monitor numbers, and ensure no alcohol is taken out with the area;
- (3) Additional receptacles for rubbish are placed in Nile Court and collected in by the licence holder at the end of the licence;
- (4) All alcohol is to be decanted and not served in glassware, bottles or cans;

- (5) A refusals record should be kept at the bar area for inspection as proof of diligence;
- (6) Training records should be available for all bar staff who should be trained to a minimum of 2hrs as required on a standard premises licence and each staff member should identify themselves by name to the police or LSO if requested so that the appropriate record can be checked; and
- (7) Drinking water should be available free of charge if requested.

8(b) Applications for Extended Hours

The Board considered the following applications:-

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

Easter Weekend – 9th April 2023 – 02:30 a.m. to 03:30 a.m.*

*Outwith Board Policy

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

<u>Applicant</u>	<u>Premises</u>
(2) Ultimate Leisure Ltd	Vinyl 1-5 Arthur Street Ayr

Easter Weekend – 9th April 2023 – 02:30 a.m. to 03:30 a.m.*

*Outwith Board Policy

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

<u>Applicant</u>	<u>Premises</u>
(3) Ultimate Leisure Ltd	Vinyl 1-5 Arthur Street Ayr

Scottish Grand National – 22nd April 2023 – 02:30 a.m. to 03:30 a.m.*

*Outwith Board Policy

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

<u>Applicant</u>	<u>Premises</u>
(4) Ultimate Leisure Ltd	Vinyl

1-5 Arthur Street
Ayr

Ayr Pavilion Festival After Party – 29th April 2023 – 02:30 a.m. to 03:30 a.m.*

*Outwith Board Policy

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

Applicant

Premises

(5) Sprig Limited

Printhouse
154 High Street
Nile Court
Ayr

Rock The Nile – 8th April 2023 – 02:30 a.m. to 03:30 a.m.*

*Outwith Board Policy

Having heard from the Licensing Standards Officer the Board granted the above application, as a special event catered for on the premises.

Applicant

Premises

(6) Sprig Limited

Printhouse
154 High Street
Nile Court
Ayr

Easter Sunday – 9th April 2023 – 02:30 a.m. to 03:30 a.m.*

*Outwith Board Policy

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

Applicant

Premises

(7) Sprig Limited

Printhouse
154 High Street
Nile Court
Ayr

Scottish Grand National Weekend
21st and 22nd April 2023 – 02:30 a.m. to 03:30 a.m.*

*Outwith Board Policy

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

Applicant

Premises

(8) Sprig Limited

Printhouse
154 High Street
Nile Court
Ayr

Ayr Pavilion Festival After Party – 29th April 2023 – 02:30 a.m. to 03:30 a.m.*

*Outwith Board Policy

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

Variation in Order of Business.

In terms of Council Standing Order No. 13.3, the Panel agreed to vary the order of business as hereinafter minuted.

Additional Agenda Items - Applications for Extended Hours

The Board considered the following applications:-

Applicant

Premises

(1) Sprig Limited

Printhouse
154 High Street
Nile Court
Ayr

Early May Bank Holiday – 30th April 2023 – 02:30 a.m. to 03:30 a.m.*

*Outwith Board Policy

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

Applicant

Premises

(2) TamJam Holdings

Venue 38
Carrick Street
Ayr

Ayr Pavilion Festival After Party – 29th April 2023 – 02:30 a.m. to 03:30 a.m.*

*Outwith Board Policy

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

Applicant

Premises

(3) TamJam Holdings

Venue 38
Carrick Street
Ayr

Early Bank Holiday Sunday – 30th April 2023 – 02:30 a.m. to 03:30 a.m.*

*Outwith Board Policy

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

8(c) Premises Licences Ceasing to Exist

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

Premises

Reason for Ceasing to Exist

Woodland Farm
Hotel and Restaurant
Woodland Farm
Girvan

Licence Surrendered

Decided: to note terms of the report.

8(d) Unpaid Fees – Premises Licence Reviews (Under Section 14(2))

Premises Licence Holder

Premises

Lochgreen House Hotel Limited

Costleys
156/158 Main Street
Prestwick

Geraldine Haylen

Hamilton Arms
22 Bridge Street
Girvan

The Bald Eagle Golf Company Limited

Waterfront Bar and Restaurant
4 South Harbour Street
Ayr

Paul Zive

The Corner Pocket
23 Seaton Street
Maybole

Gavin Speirs

Units 29 and 32 Queens Court
Sandgate
Ayr

Justin Mairs

Castle Inn
49 Cassillis Road
Maybole

LAL (Public House) Limited

Horseshoe Bar
81-83 George Street
Ayr

Having heard from the Licensing Standards Officer and the Depute Clerk to the Board, the Board decided to suspend the licences detailed within the report and granted delegated powers to the Clerk to reinstate the licences upon payment of the outstanding fees.

9. Closing Remarks.

The Chair thanked everyone in attendance and concluded the meeting.

The meeting ended at 11:35 a.m.