

SOUTH AYRSHIRE LICENSING BOARD.

Minutes of a hybrid webcast meeting held on 15 June 2023 at 10.00 a.m.

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

Apology: Councillor Stephen Ferry.

Attending: K. Briggs, Service Lead – Legal and Licensing and Depute Clerk to the Licensing Board; L McChristie, Co-ordinator, Legal and Licensing; C. Andrew, Licensing Standards Officer; C. Buchanan, Committee Services Officer and E. Moore, Committee Services Assistant.

Also

Attending: L. McFarlane, (Trading Standards and Environmental Health) and Sergeant S. Syme, Police Scotland.

Opening Remarks

The Chair welcomed everyone to the meeting, outlined the procedures for conducting this meeting; and advised that it 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 Wednesday 23 August 2023 at 10.00 a.m.

3. Minutes of Previous Meeting

The [Minutes](#) of the Meeting of South Ayrshire Licensing Board of 18 May 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, the recent summer weather had encouraged many businesses, individuals and groups to consider future events, ranging from large scale weddings and outdoor galas to hall hires and birthday parties. As the majority of the events planned were due to take part in unlicensed venues and/or public spaces in South Ayrshire, the majority will require an Occasional Licence to allow the sale and/or consumption of alcohol. She highlighted that applicants are required to submit requests with a minimum of 28 days notice to process, consult on and grant an occasional licence and this information is detailed in the Board's current policy statement.

- (2) That, applications that do not allow the full 28 days notice (with the exception of funerals) are unable to be accepted however, applications submitted months in advance will be accepted and the early grant of such applications will allow applicants comfort that the events would benefit from an Occasional Licence for alcohol.
- (3) At the May Board meeting, a draft of the South Ayrshire Licensing Board policy statement was approved for consultation. The Licensing Standards Officer stated that she would like to remind the local trade, communities and partner agencies that the consultation period had begun and that a link to the document could be found via the licensing page on the Council website; and
- (4) That the South Ayrshire Local Licensing Forum had scheduled a meeting for Wednesday 21 June in order to consider their response to the South Ayrshire Licensing Board policy statement consultation.

Decided: to note the Licensing Standards Officer's update.

5. Licensing (Scotland) Act 2005

(a) Applications for Variation of Premises Licence

The Board considered the following applications:-

		<u>Applicant</u>	<u>Premises</u>		
		(1) The National Trust for Scotland Enterprises Limited	Robert Burns Birthplace Museum Burns National Heritage Park Murdoch's Lone Alloway		
		<u>Existing Licensed Hours</u>		<u>Proposed Licensing Hours</u>	
<u>On Sales</u>	<u>Off Sales</u>			<u>On Sales</u>	<u>Off Sales</u>
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	10:00 – 00:00	10:00 – 22:00		10:00 – 00:30	10:00 – 22:00

Q4 – Yes to seasonal variations and add the following wording - Extra hours to be added to the terminal hour as per Board guidelines on Festive Hours and at any other time the Board grants a general extension for special occasions from time to time.

Q5 – Add the following activities during and outwith core hours – Gaming, indoor/outdoor sports/televised sport.

Q5 – Replace with the following wording - Activities listed above may take place prior to core hours (not normally before 8am) but no alcohol will be sold outwith core hours unless an extended hours certificate is in place. Activities will not continue after core hours unless an extended hours certificate is in place.

Q5f) – Replace with the following wording - The premises may operate as a visitor attraction and private hire event space with catering provision. Weddings, receptions and other celebrations may take place. Private, corporate, community and charity events may include fundraising (raffles, auctions and the like). Tastings and samplings, demonstrations and events such as exhibitions may occur from time to time. Special events including product launches. Ceremonies, meetings, conferences, presentations, crafts and markets may take place from time to time. There may be shows, concerts and plays. General retail may occur.

Q6b) – Replace with the following wording - Children and young persons will be permitted access at management discretion

Q6c) – Replace with the following wording – 0-17 years

Q6d) – Replace with the following wording – All times

Q6e) – Replace with the following wording – All public parts

The Board heard from the applicant’s representative in relation to the above application and agreed to grant the application with amended wording to be added to the Licence at Q6(b), as follows: “Children must be accompanied by an adult. Children and young persons must be permitted attendance for the consumption of food, attendance for a function or event or making use of the museum and its facilities”.

Applicant

Premises

(2) Marks and Spencer Plc

Marks & Spencer
82 High Street
Ayr

	Existing Licensed Hours		Proposed Licensing Hours	
	On Sales	Off Sales	On Sales	Off Sales
Monday	N/A	10:00 – 22:00	10:00 – 22:00	10:00 – 22:00
Tuesday	N/A	10:00 – 22:00	10:00 – 22:00	10:00 – 22:00
Wednesday	N/A	10:00 – 22:00	10:00 – 22:00	10:00 – 22:00
Thursday	N/A	10:00 – 22:00	10:00 – 22:00	10:00 – 22:00
Friday	N/A	10:00 – 22:00	10:00 – 22:00	10:00 – 22:00
Saturday	N/A	10:00 – 22:00	10:00 – 22:00	10:00 – 22:00
Sunday	N/A	10:00 – 22:00	10:00 – 22:00	10:00 – 22:00

To vary the description of the premises.

To allow the consumption of alcohol on the premises withing the existing customer café. Alcohol sold for consumption in the café will be limited to the permitted hours.

This will also include free alcohol tasting, cookery demonstrations and a range of other ancillary customer activities/services may be provided on an occasional basis outwith core hours.

The Board noted that this application had been continued to the next Board meeting, at the request of the licence holder.

(3) Praetura Properties (Balgarth) Limited

The Balgarth Pines
8 Dunure Road
Ayr

- Change windows in restaurant to one bio fold door
- Remove all fixed seating in the restaurant.
- Remove all internal walls in restaurant.
- Reconfiguration of garden area
- Modernisation of existing areas and facilities.

Upgrades to existing toilet and bar facilities.
 No change to Current capacity on licence
 To upgrade to new disabled facilities

The Board heard from the applicant's representative in relation to the above application and agreed to grant this application.

	<u>Applicant</u>		<u>Premises</u>	
	(4) Prestwick Cricket Club		Prestwick Cricket Club 11 Ayr Road Prestwick	
	Existing Licensed Hours		Proposed Licensing Hours	
	On Sales	Off Sales	On Sales	Off Sales
Monday	16:30 – 23:00	N/A	11:00 – 00:30	11:00 – 22:00
Tuesday	16:30 – 23:00	N/A	11:00 – 00:30	11:00 – 22:00
Wednesday	16:30 – 23:00	N/A	11:00 – 00:30	11:00 – 22:00
Thursday	16:30 – 23:00	N/A	11:00 – 00:30	11:00 – 22:00
Friday	16:30 – 00:30	N/A	11:00 – 00:30	11:00 – 22:00
Saturday	11:00 – 00:30	N/A	11:00 – 00:30	11:00 – 22:00
Sunday	12:30 – 23:00	N/A	11:00 – 00:30	11:00 – 22:00

Amend core hours as above.
 Add Off-Sale.

Addition of seasonal variations

Amend children and young person's statement to allow 0-17 years access to all areas with the exception of sitting at the bar during core hours if accompanied by an adult.

Amend licensed area

The Board heard from the applicant's representative in relation to the above application and agreed to grant this application.

(b) Applications for a Personal Licence

The Board considered the following applications:-

<u>Applicant</u>	<u>Application Number</u>
(1) Jamie Allen	SA/23/00031/LAPRS

The Board heard from Police Scotland and from the applicant in response and 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; and that it is necessary to refuse the application for the purposes of the licensing objectives of preventing crime and disorder, securing public safety and preventing public nuisance

(2) Rikki Chamberlain	SA/23/0005031/LAPRS
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The Board heard from Police Scotland and from the applicant in response and 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; and that it is necessary to refuse the application for the purposes of the licensing objectives of preventing crime and disorder and securing public safety.

(c) **Applications for Occasional Licences**

The Board considered the following applications:-

<u>Applicant</u>	<u>Premises</u>
(1) Alastair McClymont	The Shed Parkhouse Stables Symington
21 st Birthday Party – 08/07/23 – 7:00 p.m. to 1.00 a.m.	
Having heard from the Licensing Standards Officer and the applicant in response, the Board granted the above application.	
(2) Hawthorn Leisure Scotco Limited	Car Park Adjacent to the Red Lion
Beer Garden, external dining, service of food and drink – 19/06/23 to 02/07/23 – 11.00 a.m. to 10.00 p.m.	
(3) Hawthorn Leisure Scotco Limited	Car Park Adjacent to the Red Lion
Beer Garden, external dining, service of food and drink – 03/07/23 to 16/07/23 – 11.00 a.m. to 10.00 p.m.	
(4) Hawthorn Leisure Scotco Limited	Car Park Adjacent to the Red Lion
Beer Garden, external dining, service of food and drink – 17/07/23 to 30/07/23 – 11.00 a.m. to 10.00 p.m.	
(5) Hawthorn Leisure Scotco Limited	Car Park Adjacent to the Red Lion
Beer Garden, external dining, service of food and drink – 31/07/23 to 13/08/23 – 11.00 a.m. to 10.00 p.m.	

Having heard from the Licensing Standards Officer and the applicant in response, the Board granted the above applications (2) to (5) subject to an additional condition added to the Licence to read “Permanent staff presence at peak times on the premises.”

(d) **Applications for Extended Hours**

The Board considered the following applications:-

- | <u>Applicant</u> | <u>Premises</u> |
|--|---|
| (1) Daedalus Properties Limited | Arthur Street Kitchen
11-13 Arthur Street
Ayr |
| Local DJ Event – 26/08/23 – 2.00 a.m. to 3.30 a.m. | |
| Having heard from the Licensing Standards Officer and from the applicant in response, the Board granted the above application. | |
| (2) Ultimate Leisure Ltd | Vinyl
1-5 Arthur Street
Ayr |
| Summer Bank Holiday – 06/08/23 – 2.30 a.m. to 3.30 a.m. | |
| Having heard from the Licensing Standards Officer and from the applicant in response, the Board granted the above application. | |
| (3) Sprig Ltd | Printhouse
153 High Street
Nile Court
Ayr |
| Summer Bank Holiday – 06/08/23 – 2.30 a.m. to 3.30 a.m. | |
| Having heard from the Licensing Standards Officer and from the applicant in response, the Board granted the above application. | |

8. **Closing Remarks.**

The Chair thanked everyone in attendance and concluded the meeting.

The meeting ended at 11:26 a.m.