

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

07 August 2023

To:- Councillors Grant (Chair) Brennan-Whitefield, Kilbride, Lyons, 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, 21 September 2023 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/>

Please note that a briefing meeting will take place for all Board Members at 9.15 a.m., online and in the Prestwick Committee Room.

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 – 26 October 2023 at 10:00 a.m.
3. Minutes of previous meeting of Wednesday 23 August 2023.
(copy herewith)

4. Police Scotland Annual Report (copy herewith). Pages 9 to 16
5. Report by Licensing Standards Officer
6. Transfers granted under delegated powers (copy herewith). Page 17
7. **Licensing (Scotland) Act 2005**
 - (a) Application for the Grant of a Premises Licence (copy herewith). Pages 18 to 24
 - (b) Application for Variation of Premises Licence (copy herewith). Page 25
 - (c) Application for Occasional Licence (copy herewith). Pages 26 to 27
 - (d) Application for Extended Hours (copy herewith). Pages 28 to 34
 - (e) Application for Review of Premises Licence (copy herewith). Page 35
 - (f) Premises Licence ceasing to exist (copy herewith). Page 36
8. Update on draft Statement of Licensing Policy 2023 – 2028 (to follow).
9. Any Other Business.

<p>For more information on any of the items on this agenda, please telephone Janice McClure, Committee Services, at 01292 612169 at Wellington Square, Ayr or e-mail: committee.services@south-ayrshire.gov.uk www.south-ayrshire.gov.uk</p>

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SOUTH AYRSHIRE LICENSING BOARD.

Minutes of a hybrid webcast meeting held on 23 August 2023 at 10.00 a.m.

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

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

Also

Attending: Inspector I. McColl, 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 Thursday 21 September 2023 at 10.00 a.m.

3. Minutes of Previous Meeting

The [Minutes](#) of the Meeting of South Ayrshire Licensing Board of 15 June 2023 (issued) were submitted.

Decided: to approve the Minutes of the previous meeting.

4. Annual Functions and Financial Report

There was submitted (issued) the [Annual Functions and Financial Report](#) for approval by the Board.

The Depute Clerk to the Board advised

- (1) that the Board required to prepare and publish an annual report on the exercise of their functions including a summary of the decisions made, information on the number of licences held and the annual financial report on the licensing activities;

- (2) that the [Annual Functions and Financial Report](#) 2022/23 provided information on how the Board had regard to the statutory licensing objectives and the Statement of Licensing Policy; the exercise of its functions during the period; a summary of the decisions made by or on behalf of the Board during the period; information on the number of licences held and more general information on the running of the Board and its meetings; the ongoing policy review process; and training events held during the year; and
- (3) that the report also provided a statement of the income and expenditure relating to the alcohol function for the period which had shown a small surplus which was in contrast to previous years when the work of the Board had shown an overall deficit, however, for a significant part of the year there had been a vacant post in Licensing Services leading to staff costs being lower than usual which had affected the overall financial position.

Comments were made by Board Members in relation to:

- (a) the Board recognising that it had been another difficult year for the licensed trade, particularly the hospitality venues which had faced periods of lockdown and restricted trading; and commended the efforts of the trade for complying with the licensing objectives and the restrictions imposed due to Covid-19; and
- (b) the recent very successful training event and the hope that there would be another similar event in the near future; and the Licensing Standards Officer advised that the event had been well attended by the licensed trade; and that she was currently liaising with Police Scotland to endeavour to arrange another event.

The Board

Decided: to approve the report.

5. **Update by Licensing Standards Officer**

The Licensing Standards Officer advised:

- (1) that a number of events and activities had taken place over the summer holiday period at indoor and outdoor venues in South Ayrshire which had benefited from an Occasional Licence; and that applications continued to be received on a regular basis from premises now planning for the forthcoming festive period;
- (2) that most applications were now received within the twenty eight day minimum timescale, therefore, the majority of applications had been accepted and granted;
- (3) that, in the coming month, the Ayr Gold Cup Festival at Ayr Racecourse and the Ayr Show on Ayr Low Green would be taking place with both events benefiting from Occasional Licences for alcohol sales, with considerable discussions having taken place with the organisers and personal licence holders to ensure that the alcohol provision was in line with Board policy and reflected other licences that had recently been granted, in particular in relation to access to Children and Young Persons;
- (4) that, over the past two years in particular, there had been considerable changes to staff in hospitality premises, with many experienced staff leaving the industry for employment elsewhere; and that she was finding that a number of premises had insufficient training records and, in some cases, staff who had not received any mandatory training prior to taking up their post, with this also being evident in the complaints that were being received by the Licensing Section, some of which showed an obvious lack of staff training and awareness;

- (5) that providing trained staff was a requirement of the licence and any premises not adhering to the mandatory conditions of the licence would be reminded of this and ultimately brought to the attention of the Licensing Board;
- (6) that the Board's Statement of Licensing Policy outlined that it 'expects' a personal licence holder to be on the premises at all times and the inclusion of this in the Policy demonstrated that the Board did not expect someone with minimum training to be left in charge of premises; and
- (7) that, as the Licensing Standards Officer and a personal licence holder, she had previously undertaken a project allowing her to provide the minimum two hours training to staff in South Ayrshire, that these sessions had always been provided free of charge and had been very well attended, and she was currently exploring the possibility of offering training again within the next few months to assist the licensed trade to raise standards.

The Chair commented that the licensed trade should be reminded that training was mandatory and the Board took this matter very seriously.

The Board

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

6. **Revocation of Personal Licences**

There was submitted a [report](#) (issued) of 9 August 2023 by the Clerk to the Licensing Board advising the Board of the revocation of personal licences.

The Board

Decided: to note the seventeen licences revoked under delegated powers since the last report to the Board.

7. **Applications for Transfers Granted Under Delegated Powers**

There was submitted a [report](#) (issued) of 9 August 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:-

- Commercial Inn, 123 Dalrymple Street, Girvan – transferred to Tormore Properties Ltd on 16 June 2023;
- Wellingtons Bar, 17 Wellington Square, Ayr – transferred to Southern Ayr Limited on 24 July 2023;
- Skinny Malinkys, 7-9 Arthur Street, Ayr – transferred to M.E.T Corporate Ltd on 24 July 2023; and
- Billy Bridges, 8 Sandgate, Ayr – transferred to Southern Ayr Ltd on 28 July 2023.

The Board

Decided: to note the transfers granted under delegated powers.

8. **Licensing (Scotland) Act 2005**

(a) **Applications for the Grant of a Premises Licence**

The Board considered the following applications:

<u>(1) Applicant</u>	<u>Premises</u>
Gaik Keow Gan	The Garden 9 Templehill Troon

Retail Sale of Alcohol (On-Sales) – every day from 12.00 to 22.30

The Board first considered the issue of locality for the purposes of this application and decided (with the agreement of the applicant's representative) that 300m of the applicant premises would be the appropriate locality for consideration of this application.

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

<u>(2) Applicant</u>	<u>Premises</u>
Pushp Traders Ltd	Aldente Ayr 172 Prestwick Road Ayr

Retail Sale of Alcohol (On-Sales) – every day from 12.00 to 22.00

The Board first considered the issue of locality for the purposes of this application and decided (with the agreement of the applicant's representative) that 300m of the applicant premises would be the appropriate locality for consideration of this application.

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

(b) **Applications for the Variation of a Premises Licence**

<u>Applicant</u>	<u>Premises</u>
(1) Urban Fox Holdings Limited	The Fox and Willow 46 Carrick Road Ayr

Alterations to the terrace area to the rear of the main building by installation of retractable roof/awning and partially retractable walls/windows in the area. This area is currently being utilised as part of the restaurant area and will cease the sale of alcohol at 10pm when the roof/awning is retracted. When the roof/awning is on the closed position the terrace area will be operated on the same licensed hours basis as the remainder of the restaurant.

Increase in occupant capacity to 248 (excluding the external domes).

Use of the covered terrace as part of the restaurant Creation of new private dining area on the first floor Creation of new toilet accommodation on the first floor Alteration to the former dining annexes 1 and 2 to create a single dining annexe.

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

Applicant**Premises**

(2) Doreen Marjory John

The Vaults
32 Glendoune Street
Girvan

	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 – 01:00	10:30 – 22:00
Saturday	10:00 – 00:30	10:00 – 22:00	10:00 – 01:00	10:30 – 22:00
Sunday	10:00 – 00:00	10:00 – 22:00	10:00 – 00:30	10:00 – 22:00

Change to Core Hours On Sales, Change to Core Hours Off Sales.

Change to Seasonal Variations.

Add Conference facilities, restaurant and bar meals.

Re-word Children and Young Persons Statement.

Change to layout of toilet facilities.

Move bar counter.

Add in kitchen facility.

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

Applicant**Premises**

(3) Shanter Inns (Prestwick) Ltd

The Buf
36 Main Street
Prestwick

	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	12:00 – 02:30	12:00 – 22:00
Friday	12:00 – 02:30	10:00 – 22:00	12:00 – 02:30	12:00 – 22:00
Saturday	12:00 – 02:30	10:00 – 22:00	12:00 – 02:30	12:00 – 22:00
Sunday	10:00 – 00:00	10:00 – 22:00	12:00 – 02:30	12:00 – 22:00

Amend licensed hours to commence at 12.00 and terminate at 02.30 on Thursdays and Sundays. Amend Off Sales licensed hours on Thursday and Sundays to commence at 12.00.

The Board heard from the objector, the applicant's representative, the Licensing Standards Officer and Inspector McColl, Police Scotland.

As there was no general agreement to the unopposed motion to grant the application, the Board moved to a vote for or against the Motion.

The Board decided, by a majority, to grant the above application.

Applicant**Premises**

- (4) Hawthorn Leisure Scotco Limited Red Lion
9 The Cross
Prestwick

Amend description of premises as follows: -

The premises are a two-storey property trading as a public house on the ground floor and with licensee accommodation on the first floor. The premises also benefits from a beer garden and car park.

Additional external area within part of existing car park.

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

- (5) 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 within 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.

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

(c) Application for a Personal Licence

The Board considered the following application:-

Applicant

Andrew Dickson

Application Number

SA/23/00081/LAPRS

The Board heard from Police Scotland and from the applicant in response in relation to his application.

Councillor Pollock, seconded by Councillor Scott, moved that the application be granted.

By way of Amendment, Councillor Brennan-Whitefield, seconded by Councillor Townson, moved that the application be refused on the grounds that the applicant was not a fit and proper person to hold the licence.

Three Members voted for the Amendment and four Members voted for the Motion which was accordingly declared carried and therefore, the Board granted the above application.

(d) Applications for Occasional Licences

The Board considered the following applications:-

- | <u>Applicant</u> | <u>Premises</u> |
|---|-------------------------------|
| (1) Nan Li | Blairquhan Castle
Straiton |
| Wedding – 21/10/23 – 12:00 p.m. to 1.00 a.m. | |
| Having heard from the Licensing Standards Officer, the Board granted the above application. | |
| (2) Heather Ruddock | Ayr Railway Club
Ayr |
| Hogmanay – 31/12/23 – 18:00 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. | |

(e) Applications for Extended Hours

The Board considered the following applications:-

- | <u>Applicant</u> | <u>Premises</u> |
|--|--|
| (1) Rachael Rennie (Sprighouse) | Printhouse
153 High Street
Nile Court
Ayr |
| Ayr Gold Cup Racing – 21, 22, 23 September 2023 – 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. | |
| (2) Rachael Rennie (Ultimate Leisure Ltd) | Vinyl
1-5 Arthur Street
Ayr |
| Ayr Gold Cup Racing – 21, 22, 23 September 2023 – 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. | |

(f) **Application for the Review of a Premises Licence - Premier, 63 High Street, Maybole**

There was submitted a report (issued to Members only) by the Licensing Standards Officer dated 19 July 2023 requesting a review of the Premises Licence of the above premises in terms of Section 36 (4) (a) and (b) of the Licensing (Scotland) Act 2005 on the grounds that, despite the issue of a notice in terms of section 14 (2) (a), in relation to a breach of the Mandatory Conditions of the Premises Licence, the matters have not been dealt with to the satisfaction of the officer, namely the training of staff.

Having heard from the Licensing Standards Officer and from the licence holder's representative in response requesting a continuation of this matter, the Board

Decided: to continue consideration of this matter to the next Board meeting scheduled to be held on Thursday 21 September 2023.

9. **Closing Remarks.**

The Chair thanked everyone in attendance and concluded the meeting.

The meeting ended at 11.45 a.m.

South Ayrshire Licensing Report 2022-2023



**POLICE
SCOTLAND**
Keeping people safe

Foreword

It gives me great pleasure to provide the Annual Licensing Report for 2022/23, in accordance with Section 12(A) Licensing (Scotland) Act 2005.

Police Scotland has continued to achieve success by focussing on prevention, early intervention and enforcement. This has been made far more effective with the continued support of the many active partnerships that exist within the 32 Local Authorities across Scotland.

This collaborative working is vital to ensuring a fair and consistent approach to licensing while focussing on preventing alcohol fuelled violence, disorder and antisocial behaviour.

In the year ahead our approach will remain focused on prevention and collaboration to ensure efficient and effective service delivery. I will continue to encourage officers and staff to utilise the range of options available to improve licensing standards, reduce violence and to positively influence behaviour and attitudes across Scotland.

I would like to take this opportunity to thank our local partnerships and acknowledge their contribution in continuing to drive improvements with the Licensed Trade, and for the communities we all serve.

Sir Iain Livingstone QPM

Chief Constable

Police Service of Scotland

Police Scotland Licensing Overview

The Violence Prevention and Licensing Co-ordination Unit (VPLCU) sits within Partnerships Prevention & Community Wellbeing 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.

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 2022/2023, 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.
- 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	Area Commander
Inspector Barry McNaught	Head of the Licensing Department
Sergeant Sheryl Syme	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 are as follows:

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

Description of Board Area

There are a total of 397 Licensed Premises in South Ayrshire:

106 On-Sales
171 On/Off Sales
120 Off-Sales

OPERATION OF THE LICENSING (SCOTLAND) ACT 2005

Introduction

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 a Premise Licence

In the South Ayrshire board area during the reporting year, there have been no premises licence objections submitted to the South Ayrshire Licensing Board by Police Scotland.

Application for Review of Licence

In the South Ayrshire board area during the reporting year, there have been no premises licence reviews submitted to the South Ayrshire Licensing Board by Police Scotland.

Variation to a Premise Licence

During the reporting year, there have been no objections to variations of a licenced premise licence 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 year, there have been no personal licence objections submitted to South Ayrshire Licensing Board.

Personal Licence Reviews

During the reporting year, there have been no Personal Licence reviews submitted to South Ayrshire Licensing Board.

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.

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.

We can report that there have not been any Formal Police Interventions issued within the South Ayrshire Board Area.

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

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 are 5 Serious Organised Crime Groups 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.

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.

Divisional Licensing staff carried out 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

IT'LL COST YOU CAMPAIGN

The 'It'll cost you' alcohol proxy purchase campaign was promoted in South Ayrshire. The aim of this campaign was to raise awareness of the consequences of proxy purchase and

- Reduce the number of proxy purchases of alcohol for under 18's
- Reduce crime and antisocial behaviour
- Make our communities safer
- Protect children and under 18's from harm

This was to target

1. Adult's (anyone over the age of 18) including parents, older siblings, friends and members of the general public, who under 18's may approach to buy alcohol for them.
2. Under 18's - children need to understand that not only are there serious consequences for the adults they ask to make a purchase for them, their actions may inadvertently place them in dangerous or vulnerable situations.

The Licensing Department has signed up to continue to promote this campaign in 2023 along with the Police Scotland Youth Volunteers.

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 2023/2024.



**REPORT BY CLERK TO THE LICENSING BOARD
TO LICENSING BOARD OF 21st SEPTEMBER 2023**

SUBJECT: APPLICATIONS FOR TRANSFER GRANTED BETWEEN 23 AUGUST 2023 AND 21 SEPTEMBER 2023

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) Hotel Kylestrome Bar and Grill, 11 Miller Road, Ayr

The above premises licence was transferred to M And M Property Holdings Ltd on 29th August 2023

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. 7th September 2023



**REPORT BY THE CLERK TO THE
LICENSING BOARD OF 21 SEPTEMBER 2023**

**SUBJECT: APPLICATION FOR
PREMISES LICENCE**

**SAVERS HEALTH AND BEAUTY
22 PORTLAND STREET
TROON**

APPLICANT

**SAVERS HEALTH AND BEAUTY LIMITED,
HUTCHISON HOUSE, 5 HESTOR ROAD,
BATTERSEA, LONDON SW11 4AN**

APPLICATION REPORT

1. Background:

An application for a premises licence for a retail shop selling a range of health and beauty products plus household goods and food at Unit 3, 49 Academy Street, Troon.

The core hours sought are 10:00 to 18:00 Monday – Saturday and 11:00 – 16:00 on Sunday for off sales only. A seasonal variation for a closing time of 20:00 is sought for the period 14th November to 24th December each year.

The applicant is seeking a capacity figure for display of alcohol of 2.1 square metres.

2. Reports

There have been no objections or representations.

Section 50 Certificate from Planning, Building Standards and Environmental Health 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 300 metres. The premises in that area are:-

Address	Capacity
The Fox 18 West Portland Street Troon	137 persons
Lido 11-17 West Portland Street Troon	210 persons
Nisa Day To Day 16 West Portland Street Troon	34.68m2
Maharani 42-46 West Portland Street Troon	60 persons
Morrisons Dukes Road Troon	187.84m2
Anchorage Hotel 149 Templehill Troon	288 persons
Number 47 47 Templehill Troon	120 persons
Links 11 Templehill Troon	95 persons
The Jar 33 Ayr Street Troon	28.08m2
Brodies Deli 39 Ayr Street Troon	2m2
3 Idiots 39 Portland Street Troon	55 persons
Spar 12/14 Portland Street Troon	38.99m2
Blueberrys 3 South Beach Troon	36 persons
Lonsdale 15 Portland Street Troon	96 persons
Tinto Tapas 10 Portland Street Troon	74 persons
Girvans 66 Portland Street Troon	70 persons
Dan McKay's 71 Portland Street Troon	80 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 7th September 2023

SCHEDULE 6 Regulation 7
DISABLED ACCESS AND FACILITIES STATEMENT
Licensing (Scotland) Act 2015, section 20(2)(A)(ii)

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 / <i>N/A</i>
1(c)	Do you have any other provisions available to aid the use of the premises by disabled people	YES / <i>N/A</i>
Date/s as appropriate		

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.

No raised floor upon entrance
 Dual swing doors with clear 1755mm width for access and 1600 between lifting gates
 1200mm turning circle through shopfloor and back of house walkways.

Question 3**Facilities available**

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

Disability Discrimination Act compliant lift
 Disability Discrimination Act compliant WC.

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 welcome

Licence application -Savers 22 Portland Street, Troon, Ayrshire, KA10 6EA

Meeting the Licensing Objectives

Preventing Crime and Disorder

- A CCTV system is installed that is capable of continuously recording for a period of not less than 31 days meeting Home Office Guidelines and is maintained in good working order.
- Recordings will be made of all trading periods.
- The correct date and time will be generated onto both recording and real time image screen.
- The system is able to produce copies of recordings on site.
- The system is capable of facial image recognition of all persons both entering and exiting the store. At least one camera from the system covers the doorway and another covers the till area.
- Copies of recordings shall be provided on request to an officer under the direction and control of the Police or an officer of the Licensing Authority.
- The premises manager will ensure that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the request of an authorised officer of the Licensing Standards officer or the Police.
- The Premises manager will take such steps as necessary to ensure that the system is operated and maintained in accordance with these conditions.

Securing Public Safety

- Fire safety measures and procedures are in operation at the store in accordance with Fire Safety Regulations.
- Provision will be made for the disabled to ensure safe evacuation in the event of fire or other emergency and general access to the store.

The premises has in place procedures for:

- Evacuation procedures,
- Reporting and recording accident/incidents
- The premises has appropriate fire extinguishers which are regularly maintained.
- CCTV is in use on the premises.

Preventing Public Nuisance

- All planning requirements will be met and procedures established to prevent noise nuisance from deliveries.
- Measures will be in place to ensure the proper disposal of all waste.

Protecting and Improving Public Health

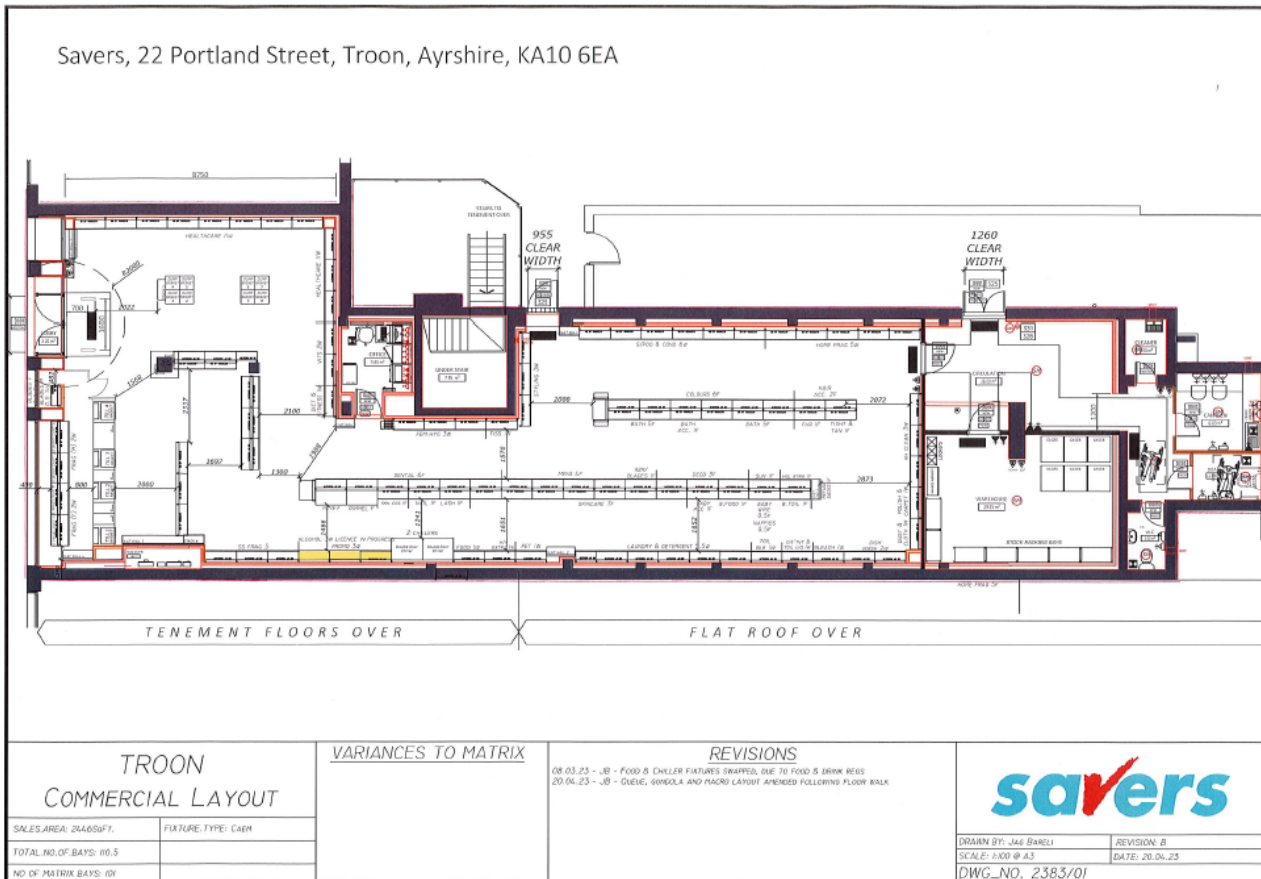
- A wide range of non-alcoholic drinks are available.
- All staff are trained to be aware of the effects of excessive alcohol consumption and when to refuse service.
- Materials will be displayed containing sensible drinking messages.

Protecting Children from Harm

- A written log will be kept of all refusals including refusals to sell alcohol. This will be maintained and checked and signed weekly basis by a responsible person.
- The store will operate a Challenge 25 Policy
- The holder of the Premises Licence shall ensure that every individual who appears to be under 25 years of age seeking to purchase or be supplied with alcohol at or from the premises shall produce means of identification – a valid passport, a photographic driving licence or PASS accredited proof-of-age card, proving the individual to be 18 years of age or older. If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.
- Challenge 25 posters will be displayed in prominent parts of the premises.
- All staff shall be trained to challenge every individual who appears to be under 25 years of age and to refuse service where individuals cannot produce acceptable means of identification. Such training shall be provided not less than every six months, and written records shall be kept of all training and refresher training.

Application for Premises Licence

	Applicant	Premises
1.	Savers Health and Beauty Limited	Savers 22 Portland Street Troon
	Retail Sale of Alcohol (Off Premises)	Monday to Saturday 10:00 – 18:00 Sunday 11:00 – 16:00
	A seasonal variation for a closing time of 20:00 is sought for the period 14 th November to 24 th December each year.	



Application for Variation of Premises Licence

- | | | |
|--|-------------------------|--|
| 1. | IP Partnership Ltd | The Bell Rock
144 Ayr Road
Prestwick |
| Proposal to include an external area within the licensed footprint of the premises. Service of food and drink. Children and young persons allowed access when having a meal. | | |
| 2. | CJ Lang And Son Limited | Spar
127 Deveron Road
Troon |
| Amend Operating Plan as follows:-
Q5 – To add Gaming as an activity within and out with core hours.
Q5) amend and add the following wording - The premises may open for general trade prior to the commencement of core hours. Recorded music may be played, such as Spar Radio prior to the commencement of core hours. This is background level only. National Lottery tickets/cards can be purchased prior to core hours.
Q5f) amend and add the following wording - The primary activity undertaken in the premises is the general retail sale of the following: Groceries; confectionery, bread & cakes, crisps/snacks, non-foods, toiletries, frozen & chilled foods, fruit/vegetables/flowers, news & magazines, toys, tobacco & cigarettes, beers/wines/spirits and other alcoholic products, non-alcoholic drinks. Charity collection point and charitable events take place. Food to Go. Click & collect. Home Deliveries. Paypoint payment. National Lottery outlet. External automated cash machine. Sampling & promotional activities. | | |

Application for Occasional Licence

Applicant	Premises	Event	Dates Requested	Times Requested
Gary Welsh	Wellington House On The Square 25 Wellington Square Ayr	Halloween event, haunted house for families with kids	30 th and 31 st October 2023	18:00 – 22:00 LSO report

Gary Welsh – Personal Licence Holder
Occasional Licence Application – 30th & 31st October 2023
Report by Licensing Standards Officer

I refer to the Occasional Licence application made by Gary Welsh who is a personal licence holder. The application refers to a property called 'Wellington House on the Square' which is located in Ayr and members may recall the applicant appeared at a previous Board meeting earlier in the year.

The application describes a 'Halloween Event' on both Monday 30th and Tuesday 31st October from 6pm until 10pm.

The applicant has advised on the form that there will be children and young persons in attendance 'with family members', however he does not state the ages for this.

Additionally the applicant has indicated that the purpose of the event is a 'Halloween haunted house for families' and advises that additional activities other than the sale of alcohol will be the 'sale of fun refreshments, such as Halloween drinks and food for children & attending parents'.

As the event is being billed as a 'family event' and a haunted house, it is clearly being designed to appeal to children and young people and less likely to be for over 18's who do not have children. For this reason the Board may wish to consider whether grant of the application would be in accordance with the licensing objective 'Protecting Children and Young People from Harm'.

The Board are in the process of updating their policy and have advised of their reluctance to grant an occasional licence to an event designed primarily for 'children and young people'.

The applicant has not been in touch with the LSO to discuss this application despite the Boards encouragement to do so previously and I am therefore only in a position to comment on the information provided on the application.

Catrina Andrew
Licensing Standards Officer
4th September 2023

Application for Extended Hours

	Applicant	Premises	Event	Date(s) Requested	Times Requested
1.	Christopher Morrison	Number Forty-Seven 37 Templehill Troon	Real Ale Festival	5, 6 and 7 October 2023	02:30 – 03:30* *Outwith Board Policy
2.	Christopher Morrison	Number Forty-Seven 37 Templehill Troon	Halloween	28 October 2023	02:30 – 03:30* *Outwith Board Policy
3.	Sprig Limited	Printhouse 154 High Street Ayr	Halloween Saturday	28 October 2023	02:30 – 03:30* *Outwith Board Policy
4.	Ultimate Leisure Ltd	Vinyl 1-5 Arthur Street Ayr	Halloween Saturday	28 October 2023	02:30 – 03:30* *Outwith Board Policy
5.	Sprig Limited	Printhouse 154 High Street Ayr	Halloween	31 October 2023	02:30 – 03:30* *Outwith Board Policy
6.	Sprig Limited	Printhouse 154 High Street Ayr	Kitsch Reunion. International Dj Line Up	14 October 2023	02:30 – 03:30* *Outwith Board Policy

Christopher Morrison – Number Forty-Seven, Troon
Extended Hours Application – 5th to 7th October 2023
Report by Licensing Standards Officer

I refer to the Extended Hours application submitted for the above premises which is situated in Templehill in Troon.

The application requests a terminal hour of 3.30am on the evening of Thursday 5th, Friday 6th and Saturday 7th October (extending into the morning of Sunday 8th October) and the application refers to the 'Annual Ayrshire Real Ale Festival', which is described by the applicant as 'an event of local or national significance'. The core hours for these premises currently extend to 2.30am on a Thursday, Friday and Saturday so this application is to permit an additional trading hour.

I am aware that premises in South Ayrshire have traditionally enjoyed extended hours for events happening locally as they anticipated a larger crowd in the area and people staying later as many of these events attracted visitors from out with the area. Examples of these already this year include the Scottish National, the Pavillion Festival and The AyrShow, and applicants described the reason for the extended hours as 'an event of local or national significance'.

This particular application comes from an experienced operator who is aware of the Board's policy in relation to extended hours and has carefully considered the reasoning behind the request for additional trading.

The Ayrshire Real Ale Festival has operated in Troon for a number of years and Mr Morrison the applicant has been a consistent part of the promotion of this event since its inception. The applicant premises stocks the most amount of cask ale in the town (with a total of 5 pumps) and therefore expects to be a popular venue as usual throughout the festival weekend.

I am aware that these premises have enjoyed additional hours the last few years for this annual festival and no complaints or adverse comments were received by Licensing as a result. I can confirm that these premises only have permission for under 18's to attend until 8pm unless in the event of a private function when they may stay until close. The licence holder understands this is not a private function and therefore if the Board are minded to grant the additional hour then under 18's will not be on the premises beyond 8pm as per the application granted by the Board in 2022.

Catrina Andrew
Licensing Standards Officer
5th September 2023

Christopher Morrison – Number Forty-Seven, 47 Templehill, Troon
Extended Hours Application – 28th October 2023
Report by Licensing Standards Officer

I refer to the Extended Hours application submitted for the above premises which is situated in the Templehill area of Troon which contains a mixture of commercial and some residential properties.

The application requests a terminal hour of 3.30am on the evening of Saturday 28th October (extending into the morning of Sunday 29th October) and the application refers to 'Halloween', which is described by the applicant as 'an event of local or national significance'.

The Board have provided a list of 'occasions' that they would consider to be of 'local or national significance' and 'Halloween' is mentioned as one of these. In the past the Board have been satisfied with applications either for the day of Halloween itself (31st October) or for the nearest weekend to that date and thus this particular application is in line with the Boards view.

This applicant has previously been granted extended hours for these premises on a regular basis and no negative reports have been received by the licensing team as a result. I believe this application reflects what the Board has agreed to in principle and I therefore have no objections to the grant of the extended hours as requested.

Catrina Andrew
Licensing Standards Officer
5th September 2023

Sprig Ltd – Printhouse, Nile Court, Ayr
Extended Hours Application – 14th October 2023
Report by Licensing Standards Officer

I refer to the Extended Hours application submitted for the above premises which is situated in Nile Court in Ayr.

The application requests a terminal hour of 3.30am on the evening of Saturday 14th October (extending into the morning of Sunday 15th October) and the application refers 'Kitsch Reunion', which is described by the applicant as 'a special event to be catered for on the premises'.

I understand that the purpose of this event is to showcase international DJ's and it is being advertised with names such as Utah Saints, John Mancini and Stevie Green. This 'special event' is under the STREETRave banner which members will recall from the successful festival at Ayr Low Green earlier this year and tickets are available to purchase via Skiddle.

Considering the above information and having checked the media surrounding the event I am satisfied it meets the criteria of 'a special event to be catered for in the premises'. Whilst this event is being advertised as an 'over 18's only' event, it should be noted that the date is during the October school holidays and therefore the operator expects people may travel from further afield to attend the event due to it being during the holiday period.

I have no objections to the Extended Hours as requested as I am satisfied it meets the Boards criteria.

Catrina Andrew
Licensing Standards Officer
4th September 2023

Ultimate Leisure (Scotland) Ltd – Vinyl, Arthur Street, Ayr
Extended Hours Application – 28th October 2023
Report by Licensing Standards Officer

I refer to the Extended Hours application submitted for the above premises which is situated in Arthur Street in Ayr.

The application requests a terminal hour of 3.30am on the evening of Saturday 28th October (extending into the morning of Sunday 29th October) and the application refers to 'Halloween', which is described by the applicant as 'an event of local or national significance'.

In the past the Board have recognised Halloween as an event of local or national significance and extended hours have been granted to a variety of premises over the past few years. These premises were granted an additional hour trading in 2022 for the Saturday nearest to Halloween and no negative reports were received by licensing as a result.

I am aware that the premises sister venue which is also located within the Ayr town centre area has applied for extended hours for 31st October for a Halloween event and having made enquiries with the applicant I understand that the reason for this is to cater to different audiences. Considering the above I am satisfied that the application meets the Boards criteria and is in accordance with the policy statement.

Catrina Andrew
Licensing Standards Officer
30th August 2023

Sprig Ltd – Printhouse, Nile Court, Ayr
Extended Hours Application – 31st October 2023
Report by Licensing Standards Officer

I refer to the Extended Hours application submitted for the above premises which is situated in Nile Court in Ayr.

The application requests a terminal hour of 3.30am on the evening of Tuesday 31st October (extending into the morning of Wednesday 1st November) and the application refers 'Halloween', which is described by the applicant as 'an event of local or national significance'.

In the past the Board have recognised Halloween as an event of local or national significance and extended hours have been granted to a variety of premises over the past few years. In 2022 extended hours were granted to a variety of South Ayrshire premises for one day Halloween celebrations.

Although this request for extended hours is for a midweek date rather than the usual weekend applications, the date requested is on Halloween itself and therefore I believe this meets the criteria and indeed the Board's policy.

Catrina Andrew
Licensing Standards Officer
30th August 2023

Sprig Ltd – Printhouse, Nile Court, Ayr
Extended Hours Application – 31st October 2023
Report by Licensing Standards Officer

I refer to the Extended Hours application submitted for the above premises which is situated in Nile Court in Ayr.

The application requests a terminal hour of 3.30am on the evening of Tuesday 31st October (extending into the morning of Wednesday 1st November) and the application refers 'Halloween', which is described by the applicant as 'an event of local or national significance'.

In the past the Board have recognised Halloween as an event of local or national significance and extended hours have been granted to a variety of premises over the past few years. In 2022 extended hours were granted to a variety of South Ayrshire premises for one day Halloween celebrations.

Although the applications are separate, the Board should note that this applicant has applied for extended hours at these premises for 'Halloween' on Tuesday 31st October for a fully immersive Halloween themed event. Being aware that the Board stated in their report in 2020 that they would be willing to consider one day for Halloween, I contacted the applicant who has advised that whilst both events are taking advantage of the time of year and offering a 'Halloween theme' they are different offerings. I understand the request for extended hours on Saturday 28th October will be to cover a 'free entry' event which aims to target customers who are keen to celebrate Halloween during their usual Saturday night outing as opposed to those who are able to attend the full mid-week themed event.

The Board may wish to consider if they are satisfied that the two separate events warrant two days of Extended Hours for the purpose of Halloween at the same venue.

Catrina Andrew
Licensing Standards Officer
1st September 2023

**Request for Premises Licence Review
Requested by the Licensing Standards Officer**

Licence holder	Premises
Arif Ali Malik	63 High Street Maybole

**Licensing (Scotland) Act 2005
Premises Licences Ceasing to Exist**

Premises	Reason for Ceasing to Exist
Co-op 19-23 High Street Maybole	Licence surrendered
Mecca Bingo 4 Boswell Park Ayr	Licence surrendered