

## **SOUTH AYRSHIRE LICENSING BOARD.**

Minutes of a meeting in the County Buildings, Wellington Square, Ayr,  
on 31st October 2013 at 10.00 a.m.

Present: Councillors Ann Galbraith (Chair), Andy Campbell, Peter Convery, Allan Dorans, Ian Douglas, Sandra Goldie, Mary Kilpatrick and Rita Miller.

Attending: M. Douglas, Depute Clerk to the Board; C. Andrew, Licensing Standards Officer; B. Lawrie, Team Leader, Environmental Health; and J. McClure, Committee Services Officer.

Apologies: Police Scotland.

### **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 in the County Hall, County Buildings, Ayr on Thursday, 28th November 2013 at 10.00 a.m.

### **3 Minutes of Previous Meeting.**

The Minutes of the Meeting of South Ayrshire Licensing Board of 19th September 2013 (issued) were submitted.

**Decided:** to approve the Minutes of the previous meeting.

### **4. Update from Licensing Standards Officer.**

C. Andrew, Licensing Standards Officer advised

(1) that a licensing update event funded by the Alcohol and Drug Partnership was scheduled to take place on Tuesday, 5th November 2013 in the Horizon Hotel, Ayr with speakers from various organisations addressing the 180 expected attendees and representatives of the three local training providers also attending to assist with the booking of update training for licence holders; and

(2) that the annual fee was due to be paid by 1st October of each year, however, some premises had still to pay and, therefore, a Section 14(a) Licensing Standards Officer Notice had now been issued to these premises and those who did not comply with this Notice would be reported to the next Board meeting.

**Decided:** to thank the Licensing Standards Officer for her update.

**5. Chief Constable's Report.**

There was submitted a report (issued) from the Chief Constable, Police Scotland for the year April 2012 to March 2013 advising that the Licensing (Scotland) Act 2005 provided that the Chief Constable should present a report to the Licensing Board at the end of each financial year that set out the following information:-

- (1) his views about matters relating to Policing in South Ayrshire Licensing Board's area during that year and the following year, in connection with the operation of the Licensing (Scotland) Act 2005; and
- (2) any steps which had been taken during the year, or intended to be taken in the following year, to prevent the sale or supply of alcohol to children or young people in the Board's area.

**Decided:** to note the Chief Constable's report.

**6. Variation in Order of Business.**

The Board agreed to vary the order of business as hereinafter minuted.

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

There was submitted a report (issued) of 17th October 2013 by the Clerk to the Licensing Board advising of the following determinations of applications for Transfer of a Licence between the last Board meeting and the present one:-

- (1) Flanagans, 36 Main Street, Prestwick – licence transferred to Thistle Pub Company Limited on 5th September 2013;
- (2) Anchorage Hotel, 149 Templehill, Troon – licence transferred to Mallbrae Limited on 18th September 2013;
- (3) Spar, 23 Adamton Road North, Prestwick – licence transferred to VC Retail Limited on 18th September 2013;
- (4) Toll Mini Mart, 157-159 Ayr Road, Prestwick – licence transferred to Arif Ali Malik on 18th September 2013; and
- (5) China Moon, 56 Montgomerie Street, Girvan – licence transferred to Zuhua Lin on 3rd October 2013.

**Decided:** to note the transfers granted under delegated powers.

8. Licensing (Scotland) Act, 2005.

(a) Applications for Variation of A Premises Licences

The Board considered the following applications:

<u>Applicant</u>	<u>Premises</u>
(1) Gilardi and Sons Ltd.	Quattro Venti Unit 2 49 Maybole Road Ayr

Existing Licensed Hours

On-Sales

Monday	N/A
Tuesday	N/A
Wednesday	N/A
Thursday	N/A
Friday	N/A
Saturday	N/A
Sunday	N/A

Off-Sales

10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.
noon to 10.00 p.m.

Proposed Licensing Hours

On-Sales

Monday	10.00 a.m. to midnight
Tuesday	10.00 a.m. to midnight
Wednesday	10.00 a.m. to midnight
Thursday	10.00 a.m. to midnight
Friday	10.00 a.m. to midnight
Saturday	10.00 a.m. to midnight
Sunday	10.00 a.m. to midnight

Off-Sales

10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.
10.00 a.m. to 10.00 p.m.

Provision of On Sales including restaurant facilities, receptions, recorded music and live performances.

Capacity 35 persons.

Children and young persons allowed entry accompanied by an adult until 6.00 p.m. except in the event of a function when they will be permitted to the end of the function.

Entertainment in event of a Theme Night.

Having heard from the applicant, the Board granted the above application.

(2) Costley Inns and Wine Bars Limited	Souters 47 Main Road Kirkoswald
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General reconstruction and refurbishment of fire-damaged premises. New ice cream/confectionery counter in ground floor restaurant area. Re-configuration of ground floor kitchen. Reduction of bar length and relocation of cellar. New window in position of original entrance door. Increased toilet accommodation on upper floor.

Change of name of premises from “Souter Johnnies” to “Souters”.  
Appointment of new Premises Manager.

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

<u>Applicant</u>	<u>Premises</u>
(3) Raymond Cooper	Golf Inn 154 Main Street Prestwick

Existing Licensed Hours

On-Sales

Monday	11.00 a.m. to 12.30 a.m.	N/A
Tuesday	11.00 a.m. to 12.30 a.m.	N/A
Wednesday	11.00 a.m. to 12.30 a.m.	N/A
Thursday	11.00 a.m. to 12.30 a.m.	N/A
Friday	11.00 a.m. to 12.30 a.m.	N/A
Saturday	11.00 a.m. to 12.30 a.m.	N/A
Sunday	12.30 p.m. to midnight	N/A

Off-Sales

Proposed Licensing Hours

On-Sales

Monday	10.00 a.m. to 12.30 a.m.	N/A
Tuesday	10.00 a.m. to 12.30 a.m.	N/A
Wednesday	10.00 a.m. to 12.30 a.m.	N/A
Thursday	10.00 a.m. to 12.30 a.m.	N/A
Friday	10.00 a.m. to 1.00 a.m.	N/A
Saturday	10.00 a.m. to 1.00 a.m.	N/A
Sunday	10.00 a.m. to midnight	N/A

Off-Sales

To vary the core hours as above.

Having heard the applicant withdraw that part of the application for late opening on “Fridays and Saturdays to 1.00 a.m.” and having heard from the objector, the applicant and the Environmental Health Officer, the Board advised the applicant to consult with the objector, Environmental Health Services and the Licensing Standards Officer regarding obtaining a solution to the noise issues and granted the application, the hours as follows:-

Granted Licensing Hours

On-Sales

Monday	10.00 a.m. to 12.30 a.m.	N/A
Tuesday	10.00 a.m. to 12.30 a.m.	N/A
Wednesday	10.00 a.m. to 12.30 a.m.	N/A
Thursday	10.00 a.m. to 12.30 a.m.	N/A
Friday	10.00 a.m. to 12.30 a.m.	N/A
Saturday	10.00 a.m. to 12.30 a.m.	N/A
Sunday	10.00 a.m. to midnight	N/A

Off-Sales

**Applicant**

**Premises**

(4) Buzzworks Inn Limited

Lido  
11-17 West Portland Street  
Troon

**Existing Licensed Hours**

**On-Sales**

**Off-Sales**

Monday	10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Tuesday	10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Wednesday	10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Thursday	10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Friday	10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Saturday	10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Sunday	10.00 a.m. to midnight	10.00 a.m. to 10.00 p.m.

**Proposed Licensing Hours**

**On-Sales**

**Off-Sales**

Monday	10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Tuesday	10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Wednesday	10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Thursday	10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Friday	11.00 a.m. to 1.30 a.m.	11.00 a.m. to 10.00 p.m.
Saturday	11.00 a.m. to 1.30 a.m.	11.00 a.m. to 10.00 p.m.
Sunday	10.00 a.m. to midnight	10.00 a.m. to 10.00 p.m.

General reconstruction and refurbishment of fire-damaged premises.  
 Change Friday and Saturday night on-sale operating time from “10.00 a.m. - 12.30 a.m.” to “11.00 a.m. - 1.30 a.m.” and off-sales opening times from 10.00 a.m. to 11.00 a.m.  
 Capacity decrease from 225 persons to 210 persons.  
 Restaurant Facilities – change to incorporate breakfast, lunch and dinner.  
 Addition of description of outside drinking facilities – hot beverages, food and non-alcoholic drinks can be purchased for outside terrace before core times. During core times alcohol may be purchased inside the venue and taken outside to terrace under supervision of management and staff on duty.  
 Operating Plan question 5g : decibel levels may exceed 85dB.  
 Change to layout plan.  
 Take Premises Manager off existing licence as premises is not operating at present.

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

**(b) Application for a Provisional Premises Licences**

The Board considered the following application:

**Applicant**

**Premises**

Milltrout Limited

35 Main Street  
Dundonald

Retail Sale of Alcohol (On Premises) – Monday to Thursday from 11.00 a.m. to midnight; Friday and Saturday from 11.00 a.m. to 1.00 a.m.; and Sunday from 12.30 p.m. to midnight.

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 the whole of Dundonald would be the appropriate locality for consideration of this application.

The Board then heard from the applicant's representative in relation to this application and, having determined that none of the grounds for refusal had been established, the Board granted the above application.

**(c) Application for a Premises Licences**

The Board considered the following application:

**Applicant**

**Premises**

J and S Sangha T/A Family Shopper  
Lochside

Family Shopper Lochside  
2-4 Lawson Street  
Ayr

Retail Sale of Alcohol (Off Premises) – Every day from 10.00 a.m. to 10.00 p.m.

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 a 500m radius of the applicant site would be the appropriate locality for consideration of this application.

The Board heard from the Solicitor (Licensing) regarding the late submission of the letter from NHS Ayrshire & Arran and, following discussion, agreed to accept and consider this letter which was then circulated.

**Adjournment**

The time being 10.50 a.m., the Board agreed to have a 10 minute adjournment to consider the letter from NHS Ayrshire & Arran.

## **Resumption of Meeting.**

The meeting resumed at 11.00 a.m.

The Board then heard from the applicant's representative and the NHS Ayrshire & Arran representative and having then determined that none of the grounds for refusal had been established, the Board granted the above application.

### **(d) Application for Occasional Licence.**

The Board considered the following applications:

- | <b><u>Applicant</u></b>   | <b><u>Premises</u></b>                                     |
|---|--|
| (1) Stuart Hamilton   | Ayr Town Hall<br>29 New Bridge Street<br>Ayr               |
| Music Concert – 31/12/13 – 6.00 p.m. to 1.00 a.m.   |  |
| Having heard from the applicant, the Board granted the above application.                   |  |
| (2) Alastair McClymont  | Maybole Town Hall<br>High Street<br>Maybole                |
| A New Years Eve Ball – 31/12/13 – 7.30 p.m. to 1.00 a.m.                                    |  |
| Having heard from the Licensing Standards Officer, the Board granted the above application. |  |
| (3) Victoria Stirling   | Ballantrae Community Hall<br>Main Street<br>Ballantrae     |
| Ballantrae Annual Christmas Dance – 06/12/13 – 7.00 p.m. to 1.00 a.m.                       |  |
| Having heard from the applicant, the Board granted the above application.                   |  |
| (4) William Howat   | Claude Hamilton Community Centre<br>25 Hillhead<br>Coylton |
| Christmas Party for Coylton Community Association – 21/12/13 – 7.00 p.m. to 1.00 a.m.       |  |
| Having heard from the Licensing Standards Officer, the Board granted the above application. |  |

9. **Any Other Business.**

**Request from Premier Your Store.**

The Board considered the following request:

**Applicant**

Premier Your Store

**Premises**

M.C. Stores Limited  
79-85 Glendoune Street  
Girvan

The Board heard the licence holder in relation to the application granted to these premises on 4th May 2011 when he had given an undertaking not to sell certain products and advising that he now wished to withdraw that undertaking and be permitted to sell these products.

Having heard from the Licensing Standards Officer and the applicant in response, it was agreed that the undertaking could be withdrawn but the Board advised that it was disappointed at the applicant's actions.

10. **Draft Licensing Policy Statement.**

There was submitted (tabled) the Draft Statement of Licensing Policy 2013 outlining the amendments to the previous Policy Statement and seeking the approval of the Board to now put this document out to public consultation.

**Decided:** to approve the amendments to the Policy Statement and to request that the Clerk to the Board now put this document out to public consultation.

The meeting ended at 11.55 a.m.