

SOUTH AYRSHIRE LICENSING BOARD.

Minutes of a meeting in the County Buildings, Wellington Square, Ayr,
on 7th February 2013 at 10.00 a.m.

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

Apology: Councillor Sandra Goldie.

Attending: K. Briggs, Depute Clerk to the Board; C. Andrew, Licensing Standards Officer; P. McCarroll, Licensing Standards Officer; and J. McClure, Committee Services Officer.

Also Attending: Inspector W. Ramsay and Sergeant D. McIntosh, Strathclyde Police.

1. Declarations of Interest.

There were no declarations of interest by Board Members 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, 7th March 2013 at 10.00 a.m.

3. Minutes of Previous Meeting.

The Minutes of the Meeting of South Ayrshire Licensing Board of 20th December 2012 (issued) were submitted.

Decided: to note the Minutes of the previous meeting.

4. Update from Licensing Standards Officer.

C. Andrews, Licensing Standards Officer advised that, as premises were quieter at this time of year following the festive season, there was no information to bring to the attention of the Board on this occasion.

Decided: to note that no update was required on this occasion.

5. Applications for Transfer Granted Under Delegated Powers.

There was submitted a report (issued) of 24th January 2013 by the Clerk to the Licensing Board advising of the following determination of applications for Transfer of a Licence between the last Board meeting and the present one:-

- (1) West of the Moon, 11-13 Arthur Street, Ayr;
- (2) The Ailsa Pub, Turnberry Holiday Park, Maidens;
- (3) Old Racecourse Hotel, 2 Victoria Park, Ayr;
- (4) McArthurs, 7-9 Arthur Street, Ayr;
- (5) Balbirs, 38 Kilmarnock Road, Symington;
- (6) The Greek Taverna, 58 Sandgate, Ayr;
- (7) The Greenside, 5 Greenside, Maybole;
- (8) Boswells, 7 Boswell Park, Ayr;
- (9) Flanagans, 36 Main Street, Prestwick;
- (10) Anchorage Hotel, 147-149 Templehill, Troon; and
- (11) Madisons Nightclub, 38a Carrick Street, Ayr.

Decided: to note the transfers granted under delegated powers.

6. Premises Licences.

There was submitted a report (issued) of 24th January 2013 by the Clerk to the Licensing Board advising that the following licences had been surrendered or had ceased to exist:-

(1) Premises Licences which have been Surrendered.

- (a) Peggy's Tea Room, Main Road, Kirkoswald;
- (b) Hunny Pot, Beresford Terrace, Ayr;
- (c) Callans Restaurant, Cathcart Street, Ayr;
- (d) Spar Shop at Craig Tara (surrendered on new licence being granted for shop in new location);
- (e) Harleys, Nile Court, Ayr (amalgamated into Fury Murrays licence);
- (f) Tilly's, Main Street, Dailly;
- (g) Venice Cafe, 4 Ayr Street, Troon; and
- (h) Tacos Troon, 22 Ayr Street, Troon.

(2) Premises Licences which have ceased to exist under Section 28 of the Licensing (Scotland) Act 2005.

- (a) Ayr Greyhound Stadium, 20 Glenmuir Place, Ayr;
- (b) Station Hotel, Burns Statue Square, Ayr; and
- (c) Pinewood Restaurant, 180 Main Street, Prestwick.

Decided: to note the premises licences which had been surrendered and had ceased to exist.

7. **Licensing (Scotland) Act, 2005.**

(a) **Applications for Variation of Premises Licences.**

The Board considered the following applications:-

<u>Applicant</u>	<u>Premises</u>
(1) Crestcourt Limited	Club de Mar 1-5 Arthur Street Ayr

Existing Licensed Hours

	<u>On-Sales</u>	<u>Off-Sales</u>
Monday	7.00 p.m. to 2.00 a.m.	N/A
Tuesday	7.00 p.m. to 2.00 a.m.	N/A
Wednesday	7.00 p.m. to 2.30 a.m.	N/A
Thursday	7.00 p.m. to 2.00 a.m.	N/A
Friday	7.00 p.m. to 2.30 a.m.	N/A
Saturday	7.00 p.m. to 2.30 a.m.	N/A
Sunday	7.00 p.m. to 2.00 a.m.	N/A

Proposed Licensing Hours

	<u>On-Sales</u>	<u>Off-Sales</u>
Monday	7.00 p.m. to 2.00 a.m.	N/A
Tuesday	7.00 p.m. to 2.00 a.m.	N/A
Wednesday	7.00 p.m. to 3.00 a.m.	N/A
Thursday	7.00 p.m. to 2.00 a.m.	N/A
Friday	7.00 p.m. to 3.00 a.m.	N/A
Saturday	7.00 p.m. to 3.00 a.m.	N/A
Sunday	7.00 p.m. to 2.30 a.m.	N/A

Change to core hours as above.

Having heard the Depute Clerk advise that the applicant's representative had requested that this matter be continued to the Board meeting scheduled to be held on Thursday, 7th March 2013, the Board agreed to continue consideration of this application.

<u>Applicant</u>	<u>Premises</u>
(2) Westclub Limited	West of the Moon 11-13 Arthur Street Ayr

Existing Licensed Hours

	<u>On-Sales</u>	<u>Off-Sales</u>
Monday	11.00 a.m. to 12.30 a.m.	11.00 a.m. to 10.00 p.m.
Tuesday	11.00 a.m. to 12.30 a.m.	11.00 a.m. to 10.00 p.m.
Wednesday	11.00 a.m. to 12.30 a.m.	11.00 a.m. to 10.00 p.m.
Thursday	11.00 a.m. to 12.30 a.m.	11.00 a.m. to 10.00 p.m.
Friday	11.00 a.m. to 12.30 a.m.	11.00 a.m. to 10.00 p.m.
Saturday	11.00 a.m. to 12.30 a.m.	11.00 a.m. to 10.00 p.m.
Sunday	11.00 a.m. to midnight	noon to 10.00 p.m.

Proposed Licensing Hours

	<u>On-Sales</u>	<u>Off-Sales</u>
Monday	11.00 a.m. to 12.30 a.m.	11.00 a.m. to 10.00 p.m.
Tuesday	11.00 a.m. to 12.30 a.m.	11.00 a.m. to 10.00 p.m.
Wednesday	11.00 a.m. to 1.30 a.m.	11.00 a.m. to 10.00 p.m.
Thursday	11.00 a.m. to 2.00 a.m.	11.00 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	11.00 a.m. to midnight	noon to 10.00 p.m.

Change to core hours as above. Serving of breakfast Monday to Saturday commencing at 10.00 a.m. (no alcohol to be served).

Having heard the Depute Clerk advise that the applicant's representative had requested that this matter be continued to the Board meeting scheduled to be held on Thursday, 7th March 2013, the Board agreed to continue consideration of this application.

<u>Applicant</u>	<u>Premises</u>
(3) Buzzworks Claremont Ltd.	Scotts Bar and Restaurant Troon Yacht Haven Harbour Road Troon

Existing Licensed Hours

	<u>On-Sales</u>	<u>Off-Sales</u>
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	11.00 a.m. to 1.30 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

	<u>On-Sales</u>	<u>Off-Sales</u>
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	noon to 2.30 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.

Granted Licensing Hours

	<u>On-Sales</u>	<u>Off-Sales</u>
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	noon to 2.30 a.m.	noon to 10.00 p.m.
Sunday	10.00 a.m. to midnight	10.00 a.m. to 10.00 p.m.

Amend opening time on Saturday to noon to 2.30 a.m.

Having heard the applicant in relation to this application and agreeing to amend the hours for off-sales on a Saturday in line with on-sales, the Board granted this application, the hours as outlined above.

Applicant**Premises**

- (4) Lewis Cromar
The Crown Hotel
24 Cunningham Street
Tarbolton

Existing Licensed Hours

	<u>On-Sales</u>	<u>Off-Sales</u>
Monday	11.00 a.m. to 12.30 a.m.	11.00 a.m. to 10.00 p.m.
Tuesday	11.00 a.m. to 12.30 a.m.	11.00 a.m. to 10.00 p.m.
Wednesday	11.00 a.m. to 12.30 a.m.	11.00 a.m. to 10.00 p.m.
Thursday	11.00 a.m. to 12.30 a.m.	11.00 a.m. to 10.00 p.m.
Friday	11.00 a.m. to 12.30 a.m.	11.00 a.m. to 10.00 p.m.
Saturday	11.00 a.m. to 12.30 a.m.	11.00 a.m. to 10.00 p.m.
Sunday	11.00 a.m. to midnight	11.00 a.m. to 10.00 p.m.

Proposed Licensing Hours

	<u>On-Sales</u>	<u>Off-Sales</u>
Monday	11.00 a.m. to 12.30 a.m.	11.00 a.m. to 10.00 p.m.
Tuesday	11.00 a.m. to 12.30 a.m.	11.00 a.m. to 10.00 p.m.
Wednesday	11.00 a.m. to 12.30 a.m.	11.00 a.m. to 10.00 p.m.
Thursday	11.00 a.m. to 12.30 a.m.	11.00 a.m. to 10.00 p.m.
Friday	11.00 a.m. to 12.30 a.m.	11.00 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 12.30 a.m.	10.00 a.m. to 10.00 p.m.

Remove accommodation and function suite from premises licence.
Change of opening hours on a Saturday and Sunday as above.
Rooms to be used will be Bar, Games Room, Kitchen and Gents toilet on the ground floor.
Ladies toilet situated on the first floor.
Reduction in capacity from 75 persons to 66 persons.

Having heard from the Licensing Standards Officer, the Board granted this application, the hours as outlined above.

- (5) Black Cat Enterprise
(Scotland) Limited
Newton Arms
111-113 Main Street
Ayr

Vary operating plan to allow serving of bar food and meals.
Vary operating plan to permit children and young persons to enter the premises for meals and to attend functions.
Vary operating plan to permit the showing of televised sport.
Changes to layout plan.

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

(b) Applications for Personal Licence.

The Board considered the following applications:-

	<u>Application Number</u>	<u>Applicant</u>
(1)	SA/12/00242/LAPRS	Douglas McHarg

Having heard an observation from Strathclyde Police and the applicant's representative in response, the Board granted the above application.

(2)	SA/13/00002/LAPRS	John Walsh
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In the absence of the applicant, the Board agreed to continue consideration of this application to the Board meeting scheduled to be held on Thursday, 7th March 2013 to allow the applicant to attend.

(c) Applications for Occasional Licences.

The Board noted that the following applications had been withdrawn:-

	<u>Applicant</u>	<u>Premises</u>
(1)	Zachary Aitken	Station Hotel Burns Statue Square Ayr

General Hotel facilities, bar and restaurant facilities, functions and other events.

From 07/02/13 to 20/02/13

Monday to Wednesday from 11.00 a.m. to midnight; Thursday to Saturday from 11.00 a.m. to 1.00 a.m.; and Sunday from 11.00 a.m. to midnight.

(2)	Zachary Aitken	Station Hotel Burns Statue Square Ayr
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General Hotel facilities, bar and restaurant facilities, functions and other events.

From 21/02/13 to 06/03/13

Monday to Wednesday from 11.00 a.m. to midnight; Thursday to Saturday from 11.00 a.m. to 1.00 a.m.; and Sunday from 11.00 a.m. to midnight.

(3)	Zachary Aitken	Station Hotel Burns Statue Square Ayr
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General Hotel facilities, bar and restaurant facilities, functions and other events.

From 07/03/13 to 20/03/13

Monday to Wednesday from 11.00 a.m. to midnight; Thursday to Saturday from 11.00 a.m. to 1.00 a.m.; and Sunday from 11.00 a.m. to midnight.

Applicant

Premises

- (4) Zachary Aitken
Station Hotel
Burns Statue Square
Ayr

General Hotel facilities, bar and restaurant facilities, functions and other events.

From 21/03/13 to 03/04/13

Monday to Wednesday from 11.00 a.m. to midnight; Thursday to Saturday from 11.00 a.m. to 1.00 a.m.; and Sunday from 11.00 a.m. to midnight.

- (5) Zachary Aitken
Station Hotel
Burns Statue Square
Ayr

General Hotel facilities, bar and restaurant facilities, functions and other events.

From 04/04/13 to 17/04/13

Monday to Wednesday from 11.00 a.m. to midnight; Thursday to Saturday from 11.00 a.m. to 1.00 a.m.; and Sunday from 11.00 a.m. to midnight.

- (6) Zachary Aitken
Station Hotel
Burns Statue Square
Ayr

General Hotel facilities, bar and restaurant facilities, functions and other events.

From 18/04/13 to 01/05/13

Monday to Wednesday from 11.00 a.m. to midnight; Thursday to Saturday from 11.00 a.m. to 1.00 a.m.; and Sunday from 11.00 a.m. to midnight.

- (7) Zachary Aitken
Station Hotel
Burns Statue Square
Ayr

General Hotel facilities, bar and restaurant facilities, functions and other events.

From 02/05/13 to 15/05/13

Monday to Wednesday from 11.00 a.m. to midnight; Thursday to Saturday from 11.00 a.m. to 1.00 a.m.; and Sunday from 11.00 a.m. to midnight.

- (8) Zachary Aitken
Station Hotel
Burns Statue Square
Ayr

General Hotel facilities, bar and restaurant facilities, functions and other events.

From 16/05/13 to 29/05/13

Monday to Wednesday from 11.00 a.m. to midnight; Thursday to Saturday from 11.00 a.m. to 1.00 a.m.; and Sunday from 11.00 a.m. to midnight.

Applicant

Premises

(9) Zachary Aitken

Station Hotel
Burns Statue Square
Ayr

General Hotel facilities, bar and restaurant facilities, functions and other events.

From 30/05/13 to 12/06/13

Monday to Wednesday from 11.00 a.m. to midnight; Thursday to Saturday from 11.00 a.m. to 1.00 a.m.; and Sunday from 11.00 a.m. to midnight.

(10) Zachary Aitken

Station Hotel
Burns Statue Square
Ayr

General Hotel facilities, bar and restaurant facilities, functions and other events.

From 13/06/13 to 26/06/13

Monday to Wednesday from 11.00 a.m. to midnight; Thursday to Saturday from 11.00 a.m. to 1.00 a.m.; and Sunday from 11.00 a.m. to midnight.

(d) Premises Licence Review Proposal Under Section 44(7).

The Board considered the following reviews:-

Licenceholder

Premises

Martin McColl Ltd.

51-55 Berelands Road
Prestwick

2-4 Westwood Crescent
Ayr

There was submitted a letter from Strathclyde Police (issued to members only) dated 16th January 2013 outlining that Martin McColl Ltd. had incurred five convictions from West Hampshire Magistrates Court on 27th November 2012 under the Regulatory Reform (Fire Safety) Order 2005 and that, in accordance with Section 44(7) of the Licensing (Scotland) Act 2005 which states "if the Licensing Board receives from the appropriate Chief Constable a notice under subsection 4(b), the Licensing Board must make a premises licence review proposal in respect of the premises licence" and the Board agreed to note the convictions and to take no further action.

The meeting ended at 10.20 a.m.