

SOUTH AYRSHIRE LICENSING BOARD.

Minutes of a meeting in the County Buildings, Ayr,
on 16 January 2020 at 10.00 a.m.

Present: Councillors Craig Mackay (Chair), Laura Brennan-Whitefield, Siobhian Brown, Andy Campbell, Douglas Campbell, Ian Fitzsimmons and Margaret Toner.

Apologies: Councillors Lee Lyons and Bob Pollock.

Attending: M. Douglas, Depute Clerk to the Board; C. Andrew, Licensing Standards Officer; and J. McClure, Committee Services Lead Officer.

Also

Attending: Chief Inspector B. Anderson, 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, 13 February 2020 at 10.00 a.m.

3. Minutes of Previous Meeting.

The Minutes of the Meeting of South Ayrshire Licensing Board of 21 November 2019 ([issued](#)) were submitted.

Decided: to approve the Minutes of the previous meeting.

4. Applications for Transfer Granted Under Delegated Powers.

There was submitted a report ([issued](#)) of 3 January 2020 by the Clerk to the Licensing Board advising of the following determination of applications for the Transfer of Licences between the last Board meeting and the present one:-

- (1) Horseshoe Bar, 81-93 George Street, Ayr – transferred to LAL (Public House) Limited on 28 November 2019;
- (2) The Smoking Goat, 2a Academy Street, Ayr – transferred to David Storrie on 4 December 2019; and
- (3) Quattro Venti, 49 Maybole Road, Ayr – transferred to Thomson and Steele Leisure Ltd. on 5 December 2019.

Decided: to note the transfers granted under delegated powers.

5. **Revocation of Personal Licences.**

There was submitted a report ([issued](#)) of 3 January 2020 by the Clerk to the Licensing Board advising of the revocation of personal licences.

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

6. **Premises Licences Surrendered.**

The Board noted the surrender of the following licences:-

Premises Licences Surrendered:

<u>Premises</u>	<u>Date of Surrender</u>
Unity Grill 37 Sandgate Ayr	12 November 2019
60-62 Main Road Kirkoswald	4 December 2019

Premises Licences Ceasing to Exist:

<u>Premises</u>	<u>Reason</u>
Ayr Town Lodge 9-11 Barns Street Ayr	Now being converted into flats. Planning permission and Building Warrant granted and work commenced.

7. **Update from Licensing Standards Officer.**

The Licensing Standards Officer advised

- (1) that she had received feedback from the licensed trade that the period between Christmas and New Year had been relatively quiet and that the majority of premises had only made use of the late opening on a few dates;
- (2) that complaints to Licensing and other Council services over the Christmas and New Year period had been minimal which could be attributed to the advance preparation by all involved to deal with the anticipated numbers of people and the later opening times;
- (3) that there had, however, been some ongoing noise complaints from neighbours of licensed premises which she was currently investigating, along with colleagues from Environmental Health Services to assist licence holders to address these; and
- (4) that, due to January being a quiet month for the licensed trade, she would suggest that licence holders ensure that all staff training is up-to-date and all other mandatory requirements are being met and that she would be available to provide any advice on this or other matters.

8. Extended Hours Applications.

There was submitted a report ([issued](#)) of 13 January 2020 by the Clerk to the Licensing Board seeking approval of the amended Extended Hours application form and list of events considered to be of local or national significance.

Decided:

- (1) to approve the new application form, attached as Appendix 2 to the report;
- (2) to approve the list of events of local or national significance as outlined in Appendix 1 to the report; and
- (3) that, as no definition of “special” was given in the Act, the Board could not give a definitive list of events it considered to be special as this may vary from premises to premises and would require to be assessed on a case by case basis, however, the following would not normally be considered as “special”:-
 - The appearance of a celebrity at the venue;
 - The attendance of an artist (DJ/singer/band) who was coming late to the venue because of prior commitments; and
 - The fact that there was an event in the area but the applicant premises was not part of this event.

9. Licensing (Scotland) Act, 2005.

(a) Application for Premises Licence.

The Board considered the following application:-

Applicant

Anchor Hospitality Ltd.

Premises

Anchorage Hotel
149 Templehill
Troon

Retail Sale of Alcohol (On Premises) – every day from 10.00 a.m. to 12.30 a.m.

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 radius of 500m of the applicant premises, would be the appropriate locality for consideration of this application.

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

(b) **Application for Personal Licence.**

The Board considered the following application:-

<u>Application Number</u>	<u>Name</u>
SA/19/00479/LAPRS	James Michael McKenna

The Board heard an objection from Police Scotland and from the applicant in response.

Councillor Fitzsimmons, seconded by Councillor A. Campbell, moved that this application be refused on the grounds that it was necessary to do so for the purposes of the "Preventing Crime and Disorder" licensing objective.

By way of Amendment, Councillor Brown, seconded by Councillor Brennan-Whitefield moved that this application be granted.

On a vote being taken by a show of hands, two Members voted for the Amendment and five for the Motion which was accordingly declared carried and the application was refused.

(c) **Applications for Occasional Licences.**

The Board considered the following applications:-

<u>Applicant</u>	<u>Premises</u>
(1) Martin Dunlop	Blairquhan Castle Maybole
Wedding – 31/01/20 to 02/02/20 – Friday 31/01/20 – noon to midnight; and Saturday 01/02/20 – noon to 1.00 a.m.	
(2) Martin Dunlop	Blairquhan Castle Maybole
Birthday Residential Stay – 30/03/20 to 01/04/20 Monday 30/03/20 – noon to midnight; and Tuesday 31/03/20 – noon to 1.00 a.m.	

Having heard from the Licensing Standards Officer, the Board granted the above 2 applications.

(d) **Application for Extended Hours.**

Applicant

Global Wine Distributors Ltd.

Premises

The Buf
7-9 Arthur Street
Ayr

Viewing of Super Bowl LIV – 02/02/20 – 2.30 a.m. to 4.30 a.m.

The Board heard the applicant's representative in relation to the reasons for this application being received outwith the agreed timescale.

Thereafter, the Board unanimously agreed not to consider this late application.

10. **Gambling Act, 2005.**

(a) **Betting Premises Licences Surrendered**

The Board noted that the following Betting Premises Licences had been surrendered:-

<u>Licence Holder</u>	<u>Premises</u>
(1) William Hill	37 Burns Statue Square Ayr
(2) William Hill	48 Dalrymple Street Girvan

The meeting ended at 10.20 a.m.