

SOUTH AYRSHIRE LICENSING BOARD.

Minutes of a meeting held remotely
on 20 May 2021 at 10.00 a.m.

Present Councillors Craig Mackay (Chair), Laura Brennan-Whitefield, Douglas Campbell,
Remotely: Ian Fitzsimmons, Lee Lyons, Bob Pollock and Margaret Toner.

Apologies: Councillors Siobhian Brown and Andy Campbell.

Attending M. Douglas, Depute Clerk to the Board; C. Andrew, Licensing Standards Officer;
Remotely: Chief Inspector B. Anderson, Police Scotland; Seargent I. Farmer, Police Scotland; and
C. Buchanan, Committee Services Officer.

Opening Remarks.

The Chair took the sederunt and confirmed that today's meeting was not open to the press and public, which was permissible under the COVID-19 legislation. He also confirmed to Members the procedures to conduct this meeting.

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 remotely on Thursday, 17 June 2021 at 10.00 a.m.

3. Minutes of Previous Meeting.

The Minutes of the Meeting of South Ayrshire Licensing Board of 22 April 2021 ([issued](#)) were submitted.

Decided: to approve the Minutes of the previous meeting.

4. Applications for Transfers Granted Under Delegated Powers.

There was submitted a report ([issued](#)) of 6 May 2021 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 this Board:-

(1) The Bracken Bar, Heads of Ayr, Ayr

The above premises licence was transferred to Bennane Shore Holiday Park Limited on 13 April 2021.

(2) Units 29 and 32 Queens Court, Ayr

The above premises licence was transferred to Gavin Speirs on 28 April 2021.

Decided: to note the transfers granted under delegated powers.

5. Applications for Occasional Licences for outside drinking.

There was submitted a report ([issued](#)) of 6 May 2021 by the Clerk to the Licensing Board advising of the following determination of applications received for occasional licences for additional outside drinking areas:-

- (1) Fox and Willow, Ayr
- (2) Kylestrome, Ayr
- (3) Redstone Inn, Ayr
- (4) Abbotsford Hotel, Ayr
- (5) Glen Park, Ayr
- (6) Chestnuts, Ayr
- (7) The Brigs, Craig Tara
- (8) The Lighthouse, Craig Tara
- (9) Trysting Thorn Hotel, Coylton
- (10) The Auchans, Dundonald
- (11) Victory Bar, Girvan
- (12) The Greenside, Maybole
- (13) Bell Rock, Prestwick
- (14) Eagle Tavern, Prestwick
- (15) Red Lion, Prestwick
- (16) Vics & The Vine, Prestwick
- (17) Blueberrys, Troon
- (18) Troon Football Club, Troon
- (19) Black Bull, Straiton
- (20) Lonsdale Bar, Troon
- (21) Harbour Bar, Troon
- (22) Marine Hotel, Troon
- (23) Black Bull, Tarbolton

The Clerk to the Licensing Board highlighted that all occasional licences had been granted for a period of two weeks and could be re-evaluated fortnightly by the Board; and that all licence holders had been advised that they could apply to vary their licences longer-term but that for some premises this may mean applying for planning permission.

Decided: to note the report.

6. Personal Licence Refresher Training.

There was submitted a report ([issued](#)) of 6 May 2021 by the Clerk to the Board regarding refresher training for personal licence holders.

Decided:

- (1) to approve the recommendation to permit personal licence holders due to complete refresher training between 23 March 2020 and 31 May 2021 to complete refresher training and forward their certificate and licence to the Board by 30 November 2021, failing which their licence will be revoked; and
- (2) to approve the recommendation that personal licence holders due to complete refresher training between 1 June 2021 and 31 August 2021 also be permitted to complete their refresher training and forward their certificate and personal licence to the Board by 30 November 2021, failing which their licence will be revoked

7. Update from Licensing Standards Officer.

The Licensing Standards Officer advised;

- (1) that, from the beginning of this week alcohol had been permitted to be consumed indoors in licensed premises, meaning that almost all on sales premises that had planned to re-open had now done so or were preparing to do so for this weekend (21/05/21) and that with that in mind, the main issues currently for the Trade related to the ability to get supplies as, like many industries, the demand all at once had caused a challenge along with patrons who had booked tables for a specific time and then not turned up to fulfil the booking. She outlined that Pre-Covid, both of these issues would still have caused a concern, however currently with reduced maximum numbers and increased running costs due to additional hygiene measures, increased staffing and rising costs, it was hoped that it would not be long until Scotland was able to move further down the levels, making trading a little more balanced financially;
- (2) that, whilst visiting premises, she had been able to speak to customers and was interested to hear from many retired patrons how much of an impact the closure of the hospitality trade had on them and indeed how pleased they were to be able to return to a familiar (albeit a much quieter) environment;
- (3) that she was also pleased to report that Premises Managers had been contacting her and Environmental Health directly for information and guidance regarding re-opening and she had found in most premises that required notices and signage had to be replaced as many had become lost during renovation. She further advised that her other main concern was in relation to staff training and the records that were required to be retained for this, as many people who previously worked in the licensed trade had re-trained during lockdown and sought an alternative career and thus there were vacancies available within the industry. She highlighted that in the first few weeks she had been advising on the need for training and records but was conscious of the challenges of re-opening and had been taking more of an advisory approach and that, in the coming months she felt that there would have to be a re-focus on staff training and the content of what had been delivered and she hoped to offer a few staff training sessions during the year and once restrictions allowed, as she had previously offered; and
- (4) that she wished to express her thanks to colleagues in Environmental Health and Police Scotland for their support and for including her in the Environmental Health update meetings led by Brian Lawrie despite not being a Covid Enforcement officer, which allowed her to gather and repeat the same information as Environmental Health officers for a consistent message. She further advised that Police Scotland colleagues had as always been staying in touch and making joint visits with her when required and as a result she was confident that the licensed trade in South Ayrshire appreciated the joined-up approach from all services.

The Board then thanked the Licensing Standards Officer for her update.

Decided: to note the report.

8. Licensing (Scotland) Act, 2005.

(a) Applications for Variation of Premises Licences.

The Board considered the following applications: -

<u>Applicant</u>	<u>Premises</u>
(1) TRUK Owner Ltd	The Marine Hotel 8 Crosbie Road Troon

	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 – 01:00	10:00 – 22:00
Tuesday	10:00 – 00:30	10:00 – 22:00	10:00 – 01:00	10:00 – 22:00
Wednesday	10:00 – 00:30	10:00 – 22:00	10:00 – 01:00	10:00 – 22:00
Thursday	10:00 – 00:30	10:00 – 22:00	10:00 – 01:00	10:00 – 22:00
Friday	10:00 – 00:30	10:00 – 22:00	10:00 – 01:00	10:00 – 22:00
Saturday	10:00 – 00:30	10:00 – 22:00	10:00 – 01:00	10:00 – 22:00
Sunday	10:00 – 00:00	10:00 – 22:00	10:00 – 01:00	10:00 – 22:00

To increase the terminal hour for the sale of alcohol for consumption on the premises to 01:00hrs daily.

To allow the premises to take advantage of any seasonal relaxations which may be granted by the Board in the future from time to time.

To permit gaming on the premises in accordance with the Gambling Act 2005.

To approve the new external drinking areas as per plan

Having heard from the applicant's representative and general manager, the Board granted the above application provided the following conditions are met:-

- (1) that in line with the Board's policy, The Marine Hotel were not permitted to extend beyond the 14½ licensed hours requested however, it was agreed that The Marine Hotel could amend the hours applied for, to 10:30 to 01:00; and
- (2) Temporary traffic area to be managed and monitored by staff following a risk assessment, in the event of the road around the Hotel being closed there should be a member of staff manning any barrier which could be easily removed for emergency service access.

<u>Applicant</u>	<u>Premises</u>
(2) Francis Wilkie	The Greenside 5 Greenside Maybole

	Existing Licensed Hours		Proposed Licensing Hours	
	On Sales	Off Sales	On Sales	Off Sales
Monday	10:00 – 00:30	10:00 – 22:00	10:30 – 01:00	10:30 – 22:00
Tuesday	10:00 – 00:30	10:00 – 22:00	10:30 – 01:00	10:30 – 22:00
Wednesday	10:00 – 00:30	10:00 – 22:00	10:30 – 01:00	10:30 – 22:00
Thursday	10:00 – 00:30	10:00 – 22:00	10:30 – 01:00	10:30 – 22:00
Friday	10:30 – 01:00	10:30 – 22:00	10:30 – 01:00	10:30 – 22:00
Saturday	10:30 – 01:00	10:30 – 22:00	10:30 – 01:00	10:30 – 22:00
Sunday	10:00 – 00:30	10:00 – 22:00	10:30 – 01:00	10:30 – 22:00

Change of internal layout of premises.
Change to operating hours (on and off sale).
Allow conference facilities, bar meals, receptions and club meetings, recorded music outwith core hours.
Remove dance facilities and indoor/outdoor sports from operating plan.
Add films, outdoor drinking facilities, DJs and Theme Nights to operating plan.
Amend children's and young person's statement to permit children and young persons to be permitted unaccompanied by an adult for the purposes of having a meal, snack tea or coffee until 22:00 or until the end of a function.

Building Standards had advised that following the reconfiguration of the premises, the capacity should be reduced to 70 and this has been accepted by the applicant.

Having heard from the premises manager and premises licence holder, the Board granted the above application subject to the following conditions:-

- (1) An amendment should be made to the Children and Young Person's statement within the operating plan so that Unaccompanied children 13-16 must vacate the premises by 20:00; and
- (2) all music or live entertainment in the premises must be played in accordance with the recommendations specified in the report from McIntyre Acoustics dated 12 April 2021 produced to the Board and any music in the beer garden should be low level background recorded music and shall stop no later than 20:00 hours.

(b) Application for Personal Licence.

The Board considered the following application:-

<u>Application Number</u>	<u>Name</u>
SA/21/00016/LAPRS	John Donnelly

The Board, having considered the observations by Police Scotland, and heard the applicant's response, refused this application based on Section 73(4) of the Licensing Scotland Act 2005 for the purposes of securing public safety and preventing public nuisance licencing objectives.

The meeting ended at 11:25 a.m.