

SOUTH AYRSHIRE LICENSING BOARD.

Minutes of a Meeting in County Buildings, Wellington Square, Ayr,
on 29th April 2010 at 10.00 a.m.

Present: Councillors Douglas Campbell (Chair), Ian Douglas, Ian Fitzsimmons, Ann Galbraith, Alec Oattes and Tom Slider.

Apologies: Councillors Andy Campbell and Bill Grant.

Attending: V. Andrews, Clerk to the Board; M. Douglas, Licensing Policy Officer; C. Andrew, Licensing Standards Officer; and E. Wyllie, Committee Administrative Officer.

1. 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, 27th May 2010 at 10.00 a.m.

2. Minutes of Previous Meeting.

The Minutes of the Meeting of South Ayrshire Licensing Board of 25th March 2010 (issued) were submitted.

Decided: to note the Minutes of the previous meeting.

3. Applications for Transfers Granted Under Delegated Powers.

There was submitted a report (issued) of 16th April 2010 by the Executive Director - Corporate Services advising Board Members of the following determination of applications for Transfer of Licences between the last Board meeting and the present one:-

Jocks, 24 Patna Road, Kirkmichael;
The Vulcan Tavern, 16-18 Green Street Lane, Ayr;
The Ivy Rooms, 11 Miller Road, Ayr and
O'Briens, 56 Smith Street, Ayr.

Decided: to note the transfers granted under delegated powers.

4. Report from Licensing Standards Officer.

The Licensing Standards Officer advised

- (1) that she had visited clubs to check the required signage and to remind of the requirement to apply for occasional licences for events which would be open to the public;
- (2) that it was disappointing that despite initial information sessions, recent letters and personal visits, clubs were still unaware of their responsibilities and suggested that an evening information session be organised;
- (3) that staff training continued to be an issue and that some premises were unable to produce training records and indicated that she intended to visit premises and use the questions relating to the sixteen points;
- (4) that some premises were not displaying their Summary of Premises Licence; and
- (5) that she would continue to investigate complaints from the members of the public and would record these and report the outcomes to future Board meetings.

The Chair raised questions in relation to the various points made and the Licensing Standards Officer responded accordingly.

Decided: to note the current position.

5. Young Scot Scheme – Proof of Age.

There was submitted a report (issued) of 14th April 2010 by the Executive Director – Corporate Services advising

- (1) that the Licensing (Scotland) Act 2005 had come into force on 1st September 2009 and that the Act provided it was an offence to sell alcohol to a child or young person and it was a defence for a person charged with an offence to show that the accused had taken reasonable steps to establish the child's or young person's age and to do so the only documents which the accused should accept were:-
 - (a) a passport;
 - (b) a European Union photocard driving licence; or
 - (c) a photographic identity card of a type approved by the British Retail Consortium for the purposes of its Proof of Age Standards Scheme ("PASS"); and
- (2) that COSLA had written to all Licensing Boards on 4th March 2010 (letter attached as an Appendix to the report) recommending that Boards encourage licensees to accept Young Scot PASS National Entitlement Cards as proof of age with Strathclyde Police, Trading Standards and the Licensing Standards Officer all promoting the use of this card and advising the licensed trade on proof of age issues.

Decided: to note the report and the letter from COSLA.

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

Applications for Variation of Premises Licence.

The Board granted the following applications:-

<u>Applicant</u>	<u>Premises</u>
(3) SLC Turnberry Limited	The Health and Leisure Centre Turnberry, A Luxury Collection Resort, Scotland Maidens Road Turnberry

Creation of function suite from lounge/bar and restaurant/bar with use of reception area. Change to on-sales licensed hours to match Hotel (every Monday to Saturday inclusive from 10.00 a.m. to 12.30 a.m. and every Sunday from 10.00 a.m. to midnight). The function suite may be used for meetings. Use of mobile bar(s) within function suite/reception area.

(4) Manrup Kaur Uppal	Taj Indian Restaurant 141/143 Main Street Prestwick
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Vary the operating hours for every day from noon to 1.00 a.m. (currently every Sunday to Thursday inclusive from noon to midnight and every Friday and Saturday from noon to 12.30 a.m.). To provide a hot food takeaway service throughout all core hours until 2.30 a.m. on the following: Wednesday from 11.00 p.m. to 2.30 a.m.; Thursday from 11.00 p.m. to 2.30 a.m.; Friday from 11.00 p.m. to 2.30 a.m.; and Saturday from 11.00 p.m. to 2.30 a.m. The provision of hot food takeaway after the terminal hour will operate on condition that the restaurant will be closed to the public.

Having discussed the above application and having heard the applicant's representative agree to amend the variation of hours to 1.00 a.m. every day, the hours were granted as outlined above.

The Board agreed to continue consideration of the follow applications to the next Board meeting scheduled to be held on Thursday, 27th May 2010:-

<u>Applicant</u>	<u>Premises</u>
(1) Iona Pub Partnership Ltd.	Toll Bar 144 Ayr Road Prestwick

To amend the Operating Plan to allow children (0-17) on the premises until the terminal hour when attending a private function in the Lounge Area only.

The Board was advised that a Premises Licence Review had been received and agreed to continue consideration of this application.

<u>Applicant</u>	<u>Premises</u>
(2) Western House Catering Limited	Princess Royal Stand Ayr Racecourse 2 Whitletts Road Ayr

To amend on sale hours to close at 2.00 a.m. every Monday to Sunday inclusive (currently Monday to Saturday inclusive from 12.30 a.m. to and every Sunday to midnight).

Following a request from the applicant, the Board agreed to continue consideration of this application.

7. **Gambling Act 2005.**

Application for Licensed Premises Gaming Machine Permit.

The Board granted the following application:-

<u>Applicant</u>	<u>Premises</u>	<u>Number of Machines</u>
LA Bowl (Ayr) Ltd.	LA Bowl 17 Miller Road Ayr	Cat C – 1 Cat D – 4 Total - 5

Having heard the applicant, the Board agreed to grant the above application on the basis that the Cat-C machine would be situated within the bar area and would be switched off if the bar was not open or if there was no-one supervising in the bar area.

The meeting ended at 10.25 a.m.