

SOUTH AYRSHIRE LICENSING BOARD.

Minutes of a meeting in the County Buildings, Wellington Square, Ayr,
on 16th January 2014 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; and J. McClure, Committee Services Officer.

Also Attending: Inspector S. Mangan and D. Hastings, 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 Wednesday, 12th February 2014 at 10.00 a.m.

3 Minutes of Previous Meeting.

The Minutes of the Meeting of South Ayrshire Licensing Board of 28th November 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 the majority of on-sales premises in South Ayrshire were permitted an additional hour's trading for the month of December and 1st January, however, this extension to normal trading hours was optional and premises could choose to make use of it on any night that they anticipated demand due to festive celebrations with the Licensing Section currently having received no feedback or associated complaints as a result of these additional trading hours to suggest that they caused any concern in relation to the Licensing Objectives;
- (2) that January was traditionally a quiet month for the licensed trade and, as a result, some premises were choosing to operate reduced trading hours for the next few weeks, however, Board Members would also be aware of reports of some premises, particularly in Ayr, who had now ceased trading;
- (3) that, following press coverage that entertainment provided at the Mecca Bingo Premises in Ayr on Friday, 13th December 2013 had been of an explicit nature with the male dancers appearing on stage naked at one point, she had visited the premises on 18th and 19th December 2013 to discuss this matter with the Premises Manager and her staff;

- (4) that she could confirm that the night in question had been organised as the Christmas Party which was one of only a few nights during the year where additional entertainment was provided at the venue and that the entertainment had been free for those who chose to stay on after the evening's bingo had ended and she was advised by the Premises Manager that, out of approximately 190 people who had been playing bingo, only 50 people stayed on to watch the entertainment which began around 9.45 p.m.;
- (5) that there were three male dancers known as the Fantasy Boys who performed a number of routines to music lasting approximately one to one and a half hours, during which time they were stripping off clothing and behaving in a provocative manner and, as a result of discussions with the Premises Manager about the type of entertainment and South Ayrshire Licensing Board's Policy Statement, she had issued an LSO notice for compliance in accordance with Section 14(2)(a) of the Licensing (Scotland) Act, preventing any further entertainment of this type without the permission of the Licensing Board; and
- (6) that it was clear that this entertainment would be considered 'adult entertainment' and the premises did not have permission for this on their Operating Plan although, having investigated the matter fully she was now satisfied that this had been an error in judgement and not an attempt to disregard the permission for adult entertainment, however, having issued a notice preventing any further events of this type on these premises, any breach of this notice would result in a request from her for a premises licence review.

The Chair then asked Inspector Mangan to comment on policing over the festive period and he advised

- (a) that Ayr Police Station had a substantial plan in place for the festive period which included working in liaison with their partnership agencies;
- (b) that there had been increased visits to licensed premises, particularly to club type premises and the Traffic Police had also increased patrols to apprehend drivers who had been drinking;
- (c) that there had been fewer acts of assault or violence and fewer drink driving arrests and crime figures overall were down for the festive period, however, the number of patrons in licensed premises was lower than previous years; and
- (d) that the drinks packages offered by certain premises had been of concern to Police Scotland, however, there had been no negative impact on crime and the festive campaign had proved successful.

The Chair responded that Inspector Mangan's comments were heartening to hear and, following a question from a Board Member regarding Police Scotland's stop and search campaign, Inspector Mangan advised that Police Officers used stop and search powers for anti-violence measures and that figures had increased but for the right reasons and in proportionate measures; and he also advised that he was presently preparing a report for the Community Safety Partnership outlining crime statistics and would issue a copy of this to all Board Members once it was finalised.

A Board Member then outlined that the significant Police presence over the festive period had been reassuring and congratulated the Police on their efforts.

Decided: to thank the Licensing Standards Officer for her update and Inspector Mangan for the update from Police Scotland.

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

There was submitted a report (issued) of 4th December 2013 by the Clerk to the Licensing Board advising of the following determination of an application for Transfer of a Licence between the last Board meeting and the present one:-

The Rupee Room, 26A Wellington Square, Ayr – licence transferred to Avtar Holdings Ltd. on 20th November 2013.

Decided: to note the transfer granted under delegated powers.

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

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

The Board considered the following application:

<u>Applicant</u>	<u>Premises</u>
Abdul Karim Nasim	53 Brewlands Drive Symington

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

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

(b) **Application for Variation of a Premises Licences**

The Board considered the following applications:

<u>Applicant</u>	<u>Premises</u>
(1) The Rupee Room Limited	The Rupee Room 26A Wellington Square Ayr

Existing Licensed Hours

<u>On-Sales</u>		<u>Off-Sales</u>
Monday	noon to 11.00 p.m.	N/A
Tuesday	noon to 11.00 p.m.	N/A
Wednesday	noon to 11.00 p.m.	N/A
Thursday	noon to 11.00 p.m.	N/A
Friday	noon to 11.00 p.m.	N/A
Saturday	noon to 11.00 p.m.	N/A
Sunday	noon to 11.00 p.m.	N/A

Proposed Licensing Hours

On-Sales

Monday	noon to midnight
Tuesday	noon to midnight
Wednesday	noon to midnight
Thursday	noon to midnight
Friday	noon to midnight
Saturday	noon to midnight
Sunday	noon to midnight

Off-Sales

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

To extend opening hours until midnight Monday to Sunday.

To provide off-sales of speciality bottled beers and wines. Such sales would only take place when purchased with takeaway food and not sold separately.

To home deliver alcohol with takeaway meals. In this connection, the applicants undertake to comply with condition 119 of the Licensing (Scotland) Act 2005.

The Board heard from Police Scotland and from the applicant's representative and, following questions from Board Members, granted the above application, the hours as applied for subject to 9.00 p.m. being the latest that orders could be taken for delivery of food/alcohol.

Applicant

(2) Ayr Railway and Welfare Club

Premises

Ayr Railway and Welfare Club
20 James Street
Ayr

Existing Licensed Hours

On-Sales

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

Off-Sales

N/A
N/A
N/A
N/A
N/A
N/A
N/A

Proposed Licensing Hours

On-Sales

Monday	11.00 a.m. to 1.00 a.m.
Tuesday	11.00 a.m. to 1.00 a.m.
Wednesday	11.00 a.m. to 1.00 a.m.
Thursday	11.00 a.m. to 1.00 a.m.
Friday	11.00 a.m. to 1.00 a.m.
Saturday	noon to 1.00 a.m.
Sunday	noon to 1.00 a.m.

Off-Sales

N/A
N/A
N/A
N/A
N/A
N/A
N/A

Change name to "Ayr Railway Club".
Change to core times as above.
Add Restaurant facilities to Operating Plan.
Add outside drinking area.
Amend Children's Statement.

Having heard from the Depute Clerk to the Board, the Board granted the above application, the hours as applied for, subject to an amendment to the children's statement to clarify that children and young persons must be accompanied by an adult.

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

The Board considered the following application:

<u>Applicant</u>	<u>Premises</u>
Graham Cowan	Marquee on the south lawn Glenapp Castle Ballantrae

Three day party to celebrate wedding.

11 July 2014 from noon to 3.30 a.m.

12 July 2014 from noon to 3.30 a.m.

13 July 2014 from noon to midnight.

Having heard from the Licensing Standards Officer and from the applicant's representative, the Board granted the above application.

7. **Licensing Policy Statement.**

The Depute Clerk to the Board advised that four responses to the draft Licensing Policy Statement had been received to date and that this document would be submitted to the next Board meeting for consideration.

Decided: to note that the Licensing Policy Statement would be submitted to the next Board meeting for consideration.

The meeting ended at 10.40 a.m.