

## **SOUTH AYRSHIRE LICENSING BOARD.**

Minutes of a meeting in the County Buildings, Wellington Square, Ayr,  
on 27th November 2014 at 10.00 a.m.

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

Apology: Councillor Ian Douglas.

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

### **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, 15th January 2015 at 10.00 a.m.

### **3. Minutes of Previous Meeting.**

The Minutes of the Meeting of South Ayrshire Licensing Board of 30th October 2014 and the Special Meeting of 12th November 2014 (site visit) were submitted.

**Decided:** to approve the Minutes of the previous meetings.

### **4. Update from Licensing Standards Officer.**

The Licensing Standards Officer (LSO) advised

- (1) that he and his colleague had continued to raise awareness of the need for those personal licence holders who had been issued with their licence on or before 1st September 2009 to complete refresher training by 31st August 2014 and provide the Board with a certificate to prove that training had been completed by 30th November 2014; and
- (2) that despite their continued attempts to raise awareness, of the 647 licences issued on 1st September 2009, 354 licence holders had completed training and 13 licences had been surrendered which left 280 licences at this time that would require to be revoked by the Board.

**Decided:** to thank the Licensing Standards Officers for their work in raising awareness of this issue.

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

There was submitted a report (issued) of 13th November 2014 by the Clerk to the Licensing Board advising of the following determination of applications for Transfer of Licences between the last Board meeting and the present one:-

- (1) The Treehouse, 67 Sandgate, Ayr – transferred to Buzzworks Inns Limited on 20th October 2014;
- (2) Lido, 11-17 West Portland Street, Troon – transferred to Buzzworks Holdings Limited on 20th October 2014; and
- (3) Chestnuts Hotel, 52 Racecourse Road, Ayr – transferred to Buzzworks Property Limited on 10th November 2014.

**Decided:** to note the transfers granted under delegated powers.

## **6. Letter from Local Licensing Forum.**

There was submitted a letter (issued) dated 30th October 2014 from the Chair of the Local Licensing Forum, on behalf of the Forum,

- (1) outlining the Forum's concerns that a special Board meeting had been convened on 5th June 2014 to consider an application which had been received outwith the timescale and for a terminal hour beyond the Board's policy of midnight;
- (2) enquiring why the Board felt that this particular application warranted a special hearing;
- (3) requesting details of the Board's policy for holding such special meetings as the Forum was concerned about the cost of organising the meeting and the time involved for officers and Board members; and
- (4) advising that, although the Forum was aware that the event was for a local, well know charity, it was keen to ensure a consistent approach was taken when dealing with applications and, whilst it was aware that there had been a small number of special Board meetings since the introduction of the Licensing (Scotland) Act 2005, these appeared to have been at the request of or for the benefit of the Board or Police Scotland and not an individual applicant.

The Depute Clerk to the Board advised that the Board could not comment on specific applications. However, there was no formal policy for arranging Special Board meetings, each application was dealt with on a case by case basis and a Special meeting arranged thereafter if deemed necessary.

**Decided:** to note the comments from the Local Licensing Forum and that the Clerk to the Board would respond to the Chair of the Forum on the Board's behalf.

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

(a) **Application for Variation of a Premises Licence.**

The Board considered the following application:

**Applicant**

Greene King Retailing Limited

**Premises**

Smiths  
13 Dalblair Road  
Ayr

**Existing Licensed Hours**

**On-Sales**

Monday 10.00 a.m. to 12.30 a.m.  
Tuesday 10.00 a.m. to 12.30 a.m.  
Wednesday 10.00 a.m. to 12.30 a.m.  
Thursday 10.00 a.m. to 12.30 a.m.  
Friday 10.00 a.m. to 12.30 a.m.  
Saturday 10.00 a.m. to 12.30 a.m.  
Sunday 10.00 a.m. to midnight

**Off-Sales**

10.00 a.m. to 10.00 p.m.  
10.00 a.m. to 10.00 p.m.  
10.00 a.m. to 10.00 p.m.  
10.00 a.m. to 10.00 p.m.  
10.00 a.m. to 10.00 p.m.  
10.00 a.m. to 10.00 p.m.  
10.00 a.m. to 10.00 p.m.

**Proposed Licensing Hours**

**On-Sales**

Monday 10.00 a.m. to 12.30 a.m.  
Tuesday 10.00 a.m. to 12.30 a.m.  
Wednesday 10.00 a.m. to 12.30 a.m.  
Thursday 10.00 a.m. to 12.30 a.m.  
Friday 10.00 a.m. to 12.30 a.m.  
Saturday 10.00 a.m. to 12.30 a.m.  
Sunday 10.00 a.m. to 12.30 a.m.

**Off-Sales**

10.00 a.m. to 10.00 p.m.  
10.00 a.m. to 10.00 p.m.  
10.00 a.m. to 10.00 p.m.  
10.00 a.m. to 10.00 p.m.  
10.00 a.m. to 10.00 p.m.  
10.00 a.m. to 10.00 p.m.  
10.00 a.m. to 10.00 p.m.

To permit outdoor drinking facilities at the premises.  
Change Sunday closing time.

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

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

The Board considered the following applications:

**Applicant**

(1) Jenny Fergusson

**Premises**

Maybole Town Hall  
High Street  
Maybole

The Maybole Ball – 29/12/14 – 10.00 p.m. to 2.00 a.m.

The Board granted the above application.

**Applicant**

**Premises**

- (2) Ayr Rugby Club  
Marquee  
Ayr Rugby Football Club  
Millbrae  
Alloway

21st Birthday Party – 12/12/14 – 7.00 p.m. to 12.30 a.m.

Having heard from the Licensing Standards Officer and from the applicant, the Board granted the above application until 12.30 a.m. subject to the music ceasing at midnight.

- (3) Ayr Rugby Club  
Marquee  
Ayr Rugby Football Club  
Millbrae  
Alloway

Pre-Match Lunch/Christmas Party – 13/12/14 – noon to 12.30 a.m.

Having heard from the Licensing Standards Officer and from the applicant, the Board granted the above application until 12.30 a.m. subject to the music ceasing at midnight.

- (4) Ayr Ex-Services Club  
Ayr Ex-Services Club  
13-15 Academy Street  
Ayr

Hogmanay Dance – 31/12/14 – 8.00 p.m. to 1.30 a.m.

Having heard from the applicant, the Board granted the above application.

- (5) Angela Tremble  
Marquee  
Enterkine House  
Ayr

50th Birthday Party – 11/12/14 – 5.00 p.m. to 1.00 a.m.

Having heard from the Licensing Standards Officer, the Board granted the above application, the hours as follows:-

50th Birthday Party – 11/12/14 – 5.00 p.m. to midnight.

- (6) Ayr Hawkhill Bowling Club  
Ayr Hawkhill Bowling Club  
Back Hawkhill Avenue  
Ayr

Hogmanay Party/Dance – 31/12/14 – 7.00 p.m. to 1.00 a.m.

The Board granted the above application.

<b><u>Applicant</u></b>	<b><u>Premises</u></b>
(7) Tarbolton Bowling Club	Tarbolton Bowling Club Montgomerie Street Tarbolton

Hogmanay Party – 31/12/14 – 6.45 p.m. to 2.00 a.m.

The Board granted the above application.

(8) Troon Welbeck Golf Club	Troon Welbeck Golf Club Harling Drive Troon
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50th Birthday Party – 31/12/14 – 7.30 p.m. to 1.30 a.m.

Having heard from the Depute Clerk to the Board, the Board granted the above application.

**(c) Applications for Extended Hours.**

The Board granted the following applications:

<b><u>Applicant</u></b>	<b><u>Premises</u></b>
(1) Shanter Inns Ltd.	Tam O'Shanter Inn 230 High Street Ayr

Festive Season – 24/12/14 and 31/12/14 – 12.30 a.m. to 2.00 a.m.

(2) Shanter Inns Ltd.	Market Inn 2 Castlehill Road Ayr
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Festive Season – 24/12/14 and 31/12/14 – 12.30 a.m. to 2.00 a.m.

(3) Coylton Bowling Club	Coylton Bowling Club Hole Road Coylton
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Annual Hogmanay Party – 31/12/14 – midnight to 2.00 a.m.

(4) Buzzworks Hospitality Ltd.	Elliots Terrace, Bar and Restaurant 132 Main Street Prestwick
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Christmas Eve Party Night – 24/12/14 – midnight to 2.30 a.m.

<u>Applicant</u>	<u>Premises</u>
(5) Buzzworks Hospitality Ltd.	Elliot's Terrace, Bar and Restaurant 132 Main Street Prestwick
Hogmanay Party – 31/12/14– midnight to 2.30 a.m.	
(6) Hawthorn Leisure Limited	Red Lion 9 The Cross Prestwick
Christmas Eve – 24/12/14 – midnight to 2.00 a.m.	
(7) Hawthorn Leisure Limited	Red Lion 9 The Cross Prestwick
Hogmanay – 31/12/14 – midnight to 2.00 a.m.	

**(d) Premises Licence Reviews – Non-Payment of Annual Fees.**

There was submitted a report (issued) of 13th November 2014 by the Clerk to the Licensing Board advising that all premises had been due to pay their annual fee on 1st October 2014 as payment of the annual fee was a mandatory condition of the Premises Licence and that a number of premises had failed to pay their annual fees despite reminders in the form of a Section 14(2)(a) Notice being issued by the Licensing Standards Officer requiring compliance with these regulations.

**Decided:-**

- (a) that, as the following premises had now paid their Annual Fee, to take no further action in relation to these premises:-

Ross McRoberts for Ocean Stores, Churchill Tower, Ayr;

James Caird for Mainholm Stores, 2 Mainholm Road, Ayr; and

John MacCallum for MacCallums of Troon, Harbour Road, Troon; and

- (b) that the conditions of the premises licences of the following premises had been breached and to suspend the following licenses from start of business on Monday, 1st December 2014; and to grant delegated powers to the Clerk to the Board to reinstate the licences on payment of the annual fee:-

Mrs Manpinder Kaur for Spar, 19-21 Station Road, Mossblown;

Hogarth Hospitality Limited for Craigie Inn, Craigie;

Sonia Hannaway for Elms Court, 21-23 Miller Road, Ayr;

Stewart Howie for Courtyard Bar, Queens Court, Ayr;

Mr. Mafiz Ali for Minishant Tandoori, 22 Ayr Road, Minishant;

James Lynch for Crosshill Arms, 2 Dalhowan Street, Crosshill;

Lucy Blair Properties Limited for Dunure Inn, 9-17 Harbour View, Dunure;

Blossom Place Limited for Blossom Place, 41 South Harbour Street, Ayr;

Lewis Cromar for Crown Hotel, 24 Cunningham Street, Tarbolton;

Motor Fuel Limited for Kyle Service Station, 22-26 Maybole Rod, Ayr; and

Bava Investments for Papa Doms, 95-97 New Road, Ayr.

**8. Applications for Occasional Licences for Hogmanay.**

The Depute Clerk to the Board advised that applications were still being received for occasional licences for Hogmanay and that, as this was the final Board meeting of 2014, she was seeking approval for delegated powers to be granted to the Clerk to the Board to grant any applications for occasional licences until 1.00 a.m. on Hogmanay through to 1st January 2015.

**Decided:** that delegated powers be granted to the Clerk to the Board to grant any application received for Hogmanay through to 1st January 2015

The meeting ended at 10.20 a.m.