

## **SOUTH AYRSHIRE LICENSING BOARD.**

Minutes of a meeting in the County Buildings, Wellington Square, Ayr,  
on 17th August 2017 at 11.00 a.m.

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

Apology: Councillor Douglas Campbell.

Attending: M. Douglas, Depute Clerk to the Board; K. Briggs, Depute Clerk to the Board; C. Andrew, Licensing Standards Officer; J. McClure, Committee Services Lead Officer; and Chief Inspector G. l'Anson and Sergeant A. Jackson, 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, 14th September 2017 at 10.00 a.m.

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

The Minutes of the Meeting of South Ayrshire Licensing Board of 14th June 2017 (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 3rd August 2017 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) Viva Garden, 61 Main Street, Prestwick – transferred to Wai Hong Szeto on 31st May 2017;
- (2) MacIntyres Bar, 11 Templehill, Troon – transferred to Gordon Chalmers, Insolvency Practitioner on 20th July 2017 and subsequently transferred to Stewart William Wallace on the same day;
- (3) Harry's Bar, 13 Beresford Terrace, Ayr – transferred to J & K Partners Limited on 20th July 2017; and
- (4) The Victory Bar, 26 South Park Avenue, Girvan – transferred to John Stewart on 2nd August 2017.

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

**5. Revocation of Personal Licences.**

There was submitted a report (issued) of 3rd August 2017 by the Clerk to the Licensing Board advising of the revocation of personal licences.

**Decided:** to note the twenty five personal licences revoked as outlined in the Appendix to the report.

**6. Premises No Longer Being Used for the Sale of Alcohol.**

There was submitted a report (issued) of 2nd August 2017 by the Clerk to the Licensing Board outlining the premises no longer trading in alcohol and whose licences may now be treated as having ceased to have effect.

**Decided:** having noted that Baljit Singh had now surrendered the licence for Prestwick Old Course Hotel, thereafter to find that the remaining licences for premises (1) to (3) outlined in Appendix 1 to the report had ceased to have effect.

**7. Variation in Order of Business.**

The Board agreed to vary the order of business as hereinafter minuted.

**8. Annual Financial Report.**

There was submitted a report (issued) of 8th August 2017 by the Clerk to the Licensing Board advising of the requirement for an annual financial report imposed by changes to the Licensing (Scotland) Act 2005 with the commencement of Section 56 of the Air Weapons and Licensing Act 2015.

**Decided:** to approve the annual financial report as set out in Appendix 1 to the report.

**9. Update from Licensing Standards Officer.**

The Licensing Standards Officer advised

- (1) that during the summer months she had organised meetings with the Licensed Trade with a meeting of Ayr Town Centre trade having recently taken place and other meetings scheduled for the coming few months in various locations, to ensure that the Trade had an opportunity to be updated on national and local developments in Licensing;
- (2) that the Ayr Town Centre meeting had been well attended by members of the trade and it was intended that annual locality meetings be held to provide a further forum to supply relevant information, in addition to individual visits to premises;

- (3) that, to date this calendar year, 528 Occasional Licence applications had been processed which included applications from individuals, voluntary organisations, small family events, community galas and large events and festivals with each application considered against the Board's policy and the majority then being dealt with under delegated powers with only a small number that did not fall within these guidelines being considered at a Board meeting;
- (4) that a trend for later hours being requested had been noted, even for family events and weddings and also a rise in applications where a ticket was required as opposed to an invitation, requesting under 18s be permitted access; and
- (5) that it would be welcomed if the Board could take these applications into account during consideration of the Licensing Policy Statement and in relation to how applicants could continue to support the Licensing Objectives "Protecting Children from Harm" and "Preventing Public Nuisance".

**Decided:** to note the update from the Licensing Standards Officer.

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

**(a) Application under Section 135 to Allow Applications for Transfer to be Received Late.**

The Board considered the following applications:-

	<b><u>Applicant</u></b>	<b><u>Premises</u></b>
(1)	Richard Gardiner (Trustee in Sequestration)	Central Bar 13 New Bridge Street Ayr
(2)	Richard Gardiner (Trustee in Sequestration)	Cassillis Hotel 49 Cassillis Road Maybole
(3)	Richard Gardiner (Trustee in Sequestration)	Redstone Inn 92 Main Road Ayr

Having heard from the applicant's representative, the Board agreed to accept these late applications for consideration by the Clerk to the Board under the delegated powers process.

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

The Board considered the following applications:-

	<b><u>Application Number</u></b>	<b><u>Applicant</u></b>
(1)	SA/17/00037/LAPRS	Ian Green

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

Councillor Pollock, seconded by Councillor Campbell, moved that this application be refused.

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

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

- (2) SA/17/00055/LAPRS Jack Harrison

Having heard from Police Scotland and the applicant in response, the Board refused the above application.

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

The Board considered the following applications:-

<b><u>Applicant</u></b>	<b><u>Premises</u></b>
(1) Sprig Limited	Furys 154 High Street Ayr
	Bank Holiday Weekend – 27/08/17 – 2.30 a.m. to 3.30 a.m.
(2) Sprig Limited	Furys 154 High Street Ayr
	Scottish International Air Show – 02/09/17 – 2.30 a.m. to 3.30 a.m.
(3) Sprig Limited	Furys 154 High Street Ayr
	Scottish International Air Show – 03/09/17 – 2.30 a.m. to 3.30 a.m.
(4) Sprig Limited	Furys 154 High Street Ayr
	Ayr Races Gold Cup Weekend – 21/09/17 – 2.30 a.m. to 3.30 a.m.
(5) Sprig Limited	Furys 154 High Street Ayr
	Ayr Races Gold Cup Weekend – 22/09/17 – 2.30 a.m. to 3.30 a.m.

<b><u>Applicant</u></b>	<b><u>Premises</u></b>
(6) Sprig Limited	Furys 154 High Street Ayr

Ayr Races Gold Cup Weekend – 23/09/17 – 2.30 a.m. to 3.30 a.m.

Having heard from the Licensing Standards Officer and from the applicant's representative, the Board granted applications (2) to (6) above but refused application (1).

(7) Christopher Morrison	Cheeky Charlies 47 Templehill Troon
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Live @ Troon Music Event – 08/09/17, 09/09/17 and 10/09/17 – 2.30 a.m. to 3.30 a.m.

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

The Board noted that the following application had now been amended to a 2.00 a.m. terminal hour and subsequently dealt with under delegated powers:-

<b><u>Applicant</u></b>	<b><u>Premises</u></b>
(8) SAUWS	SAUWS Students Union Ayr Campus University Avenue Ayr KA8 1SX

End of week event for this year's Fresher's Fayre – 08/09/17 – 1.00 a.m. to 3.00 a.m.

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

The Board considered the following applications:-

<b><u>Applicant</u></b>	<b><u>Premises</u></b>
(1) Nan Li	Blairquhan Castle Straiton Maybole

Wedding – 09/09/17 – 1.00 p.m. to 1.00 a.m.

	<b><u>Applicant</u></b>	<b><u>Premises</u></b>
(2)	Nan Li	Blairquhan Castle Straiton Maybole

Wedding – 16/09/17 – 1.00 p.m. to 1.00 a.m.

(3)	Nan Li	Blairquhan Castle Straiton Maybole
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Wedding – 08/12/17 and 09/12/17  
08/12/17 – 2.00 p.m. to 11.00 p.m.  
09/12/17 - 1.00 p.m. to 1.00 a.m.

The Board granted applications (1) to (3) above.

(4)	Alastair McClymont	South Corton Farm By Ayr
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Ayr and District YFC 75th Anniversary – 16/09/17 – 6.30 p.m. to 1.00 a.m.

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

The Board then considered the following applications continued from the Board meeting of 14th June 2017:-

	<b><u>Applicant</u></b>	<b><u>Premises</u></b>
(5)	Fiona Trousdale	Marquee Enterkine House Annbank

Wedding – 18/08/17 – 6.00 p.m. to midnight.

(6)	Fiona Trousdale	Marquee Enterkine House Annbank
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Wedding – 19/08/17 – 2.00 p.m. to midnight.

(7)	Fiona Trousdale	Marquee Enterkine House Annbank
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Wedding – 26/08/17 – 1.00 p.m. to midnight.

<b><u>Applicant</u></b>	<b><u>Premises</u></b>
(8) Fiona Trousdale	Marquee Enterkine House Annbank
Wedding – 27/08/17 – 1.00 p.m. to midnight.	
(9) Fiona Trousdale	Marquee Enterkine House Annbank
Wedding – 02/09/17 – 12.30 p.m. to midnight.	
(10) Fiona Trousdale	Marquee Enterkine House Annbank
Wedding – 15/09/17 – 6.00 p.m. to midnight.	
(11) Fiona Trousdale	Marquee Enterkine House Annbank
Wedding – 23/09/17 – 1.00 p.m. to midnight.	
(12) Fiona Trousdale	Marquee Enterkine House Annbank
Wedding – 24/09/17 – 2.00 p.m. to midnight.	
(13) Fiona Trousdale	Marquee Enterkine House Annbank
Wedding – 30/09/17 – 6.00 p.m. to midnight.	
(14) Fiona Trousdale	Marquee Enterkine House Annbank
Wedding – 08/10/17 – 1.00 p.m. to midnight.	
(15) Fiona Trousdale	Marquee Enterkine House Annbank
Wedding – 13/10/17 – 1.00 p.m. to midnight.	
(16) Fiona Trousdale	Marquee Enterkine House Annbank
Wedding – 14/10/17 – 6.00 p.m. to midnight.	

<b><u>Applicant</u></b>	<b><u>Premises</u></b>
(17) Fiona Trousdale	Marquee Enterkine House Annbank
Gok Wan Fashion Show – 17/10/17 – 11.00 a.m. to 8.00 p.m.	
(18) Fiona Trousdale	Marquee Enterkine House Annbank
Wedding – 20/10/17 – 1.00 p.m. to midnight.	
(19) Fiona Trousdale	Marquee Enterkine House Annbank
Wedding – 28/10/17 – 6.00 p.m. to midnight.	
(20) Fiona Trousdale	Marquee Enterkine House Annbank
Wedding – 04/11/17 – 6.00 p.m. to midnight.	
(21) Fiona Trousdale	Marquee Enterkine House Annbank
Wedding – 11/11/17 – 6.00 p.m. to midnight.	
(22) Fiona Trousdale	Marquee Enterkine House Annbank
Wedding – 18/11/17 – 6.00 p.m. to midnight.	
(23) Fiona Trousdale	Marquee Enterkine House Annbank
Wedding – 25/11/17 – 1.00 p.m. to midnight.	
(24) Fiona Trousdale	Marquee Enterkine House Annbank
Christmas Party Night – 02/12/17 – 6.00 p.m. to midnight.	
(25) Fiona Trousdale	Marquee Enterkine House Annbank
Christmas Party Night – 08/12/17 – 6.00 p.m. to midnight.	



<u>Applicant</u>	<u>Premises</u>
(26) Fiona Trousdale	Marquee Enterkine House Annbank
Wedding – 07/12/17 – 1.00 p.m. to midnight.	
(27) Fiona Trousdale	Marquee Enterkine House Annbank
Christmas Party Night – 09/12/17 – 6.00 p.m. to midnight.	
(28) Fiona Trousdale	Marquee Enterkine House Annbank
Christmas Party Night – 15/12/17 – 6.00 p.m. to midnight.	
(29) Fiona Trousdale	Marquee Enterkine House Annbank
Christmas Party Night – 16/12/17 – 6.00 p.m. to midnight.	
(30) Fiona Trousdale	Marquee Enterkine House Annbank
Christmas Party Night – 22/12/17 – 6.00 p.m. to midnight.	
(31) Fiona Trousdale	Marquee Enterkine House Annbank
Family Christmas Ceilidh – 28/12/17 – 6.00 p.m. to midnight.	

Having heard the Depute Clerk to the Board advise that a late submission had been received, the Board agreed to consider this representation which was read to Board Members.

Having then heard from the applicant's representative, the objector and the Environmental Health Officer, the Board adjourned for consideration of these applications.

Upon reconvening, the Board granted applications (5) to (18) above subject to (a) there being no live amplified music and no live amplified voices after 11.00 p.m.; (b) a member of Senior Management from the hotel being present in the marquee to ensure compliance with this; and (c) sound limiters being set in liaison with officers of the Environmental Health Service; and agreed that applications (19) to (31) be continued to the Board meeting scheduled to be held on Thursday, 26th October 2017 for consideration, along with a further update report from the Environmental Health Service.

(e) **Premises Licence Review Proposal Under Section 44(7).**

The Board considered the following review:-

<b><u>Licenceholder</u></b>	<b><u>Premises</u></b>
Wm. Morrisons Supermarkets Plc.	Morrisons Supermarkets Dukes Road Troon
	Morrisons Supermarkets Castlehill Road Ayr

There was submitted a letter from Police Scotland (issued to members only) dated 28th June 2017 outlining that Wm. Morrisons Supermarkets Plc. had incurred a conviction from Basingstoke Magistrates Court on 25th May 2017 and that, in accordance with Section 44(7) of the Licensing (Scotland) Act 2005 which states "if the Licensing Board receives from the appropriate Chief Constable a notice under subsection 4(b), the Licensing Board must make a premises licence review proposal in respect of the premises licence" and the Board agreed to note the conviction and to take no further action.

11. **Gambling Act, 2005.**

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

The Board considered the following application:-

<b><u>Applicant</u></b>	<b><u>Premises</u></b>
Park Resorts Limited	Sundrum Castle Holiday Park Castle Drive Sundrum

Having heard from the applicant's representative who confirmed that there would be no gaming machines installed, the Board granted the above application.

The meeting ended at 1.00 p.m.