

## **SOUTH AYRSHIRE LICENSING BOARD.**

Minutes of the meeting in the County Buildings, Wellington Square, Ayr,  
on 18th April 2017 at 2.00 p.m.

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

Apology: Councillor Sandra Goldie.

Attending: M. Douglas, Depute Clerk to the Board; G. Lauder, Team Leader (Trading Standards and Environmental Health); A. Noble, Environmental Health Officer; C. Andrew, Licensing Standards Officer; P. McCarroll, Licensing Standards Officer; J. McClure, Committee Services Lead Officer; and Inspector A. Kelly and Sergeant G. Griffiths, 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 date of the next Board meeting would be agreed at the first Council meeting following the Local Government Election in May 2017.

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

The Minutes of the Meeting of South Ayrshire Licensing Board of 9th March 2017 (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 4th April 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) Furrys, 154 High Street, Ayr – transferred to Sprig Limited on 27th February 2017; and
- (2) Station Stores, 18 Culzean Road, Maybole – transferred to Sowmyaa Limited on 13th March 2017.

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

## 5. Revocation of Personal Licences.

There was submitted a report (issued) of 4th April 2017 by the Clerk to the Licensing Board advising of the revocation of eleven personal licences.

**Decided:** to note the personal licences revoked as outlined in Appendix 1 of the report.

## 6. Update from Licensing Standards Officer.

The Licensing Standards Officer advised

- (1) that there were currently 416 Licensed premises in South Ayrshire with a further two awaiting confirmation and an additional 13 premises which were currently suspended, making a total of 431. This compared to 429 premises in April 2013, therefore, whilst many premises had changed hands, been upgraded or expanded by way of a variation application, the overall number of premises remained almost the same;
- (2) that it was only Occasional licence applications which were outwith the Clerk's delegated authority to grant, or those that received a negative LSO report that would be considered at a Board meeting, however there were a large number of applications made and considered on a weekly basis, ranging from galas and festivals in outdoor venues and marquees to family parties and weddings in village halls and a variety of other locations and events. In 2016 there were a total of 765 Occasional Licences applied for and this figure looked set to be replicated again in 2017 with 234 applications already received in 2017;
- (3) that in 2016 there had been 126 Extended Hours applications made by Premises Licence Holders who were hoping to increase their trading hours for a special event or an event of local or national significance. Again, the majority of these were dealt with by the Clerk as they met with the hours and description in the Board's Policy statement and only a few were considered at Board meetings and that, to date in 2017 there had been 43 Extended Hours applications, which were now including applications for earlier opening hours, some requesting as early as 8.00 a.m. as opposed to simply applying for later opening hours;
- (4) that the Local Licensing Forum had noted the applications for earlier opening and had requested that the Board consider their position on pre-10a.m. opening hours as part of the future update to the Licensing Policy Statement;
- (5) that there had been a decline in the number of Personal Licences being revoked due to non-compliance with the refresher training requirements as personal licence holders were now aware of their responsibilities and those who continued to work in the industry had updated their Personal Licenses. Currently there were a total of 1904 valid personal licences in South Ayrshire and the Licencing Section continued to receive applications on a regular basis. Courses for the full Scottish Certificate for Personal Licence Holders and the Refresher training were available in South Ayrshire on a monthly basis from a choice of local providers;
- (6) that the LSOs continued to encounter premises with staff who were either untrained or not trained in the points required by the legislation (for the minimum 2 hour training) and would always recommend the purchase of a staff training manual and/or training package to ensure the relevant training was given/received and recorded correctly; and

- (7) that she was currently working on a future project regarding training of staff on Licenced Premises in South Ayrshire and hoped to be able to update South Ayrshire Licensing Board of progress made on this at a future meeting.

**7. Consultation on Alcohol Structures.**

The Depute Clerk to the Board referred to the Government's recently published consultation on Alcohol Structure and the Government's belief that alcohol duties should be related to the alcoholic strength of drinks and advised that the closing date for comments on this was 12th June 2017, following which the Government would announce its next steps.

**Decided:** to note the Consultation but not to respond due to lack of evidence to inform a response.

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

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

The Board considered the following applications:

<u>Applicant</u>		<u>Premises</u>
(1) Signature Pubs Limited		The Wick 36 Main Street Prestwick
<u>Existing Licensed Hours</u>		
	<u>On-Sales</u>	<u>Off-Sales</u>
Monday	10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Tuesday	10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Wednesday	10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Thursday	10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Friday	10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Saturday	10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Sunday	10.00 a.m. to midnight	10.00 a.m. to 10.00 p.m.
<u>Proposed Licensing Hours</u>		
	<u>On-Sales</u>	<u>Off-Sales</u>
Monday	10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Tuesday	10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Wednesday	10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Thursday	10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Friday	noon to 2.30 a.m.	10.00 a.m. to 10.00 p.m.
Saturday	noon to 2.30 a.m.	10.00 a.m. to 10.00 p.m.
Sunday	10.00 a.m. to midnight	10.00 a.m. to 10.00 p.m.

Amend core hours for consumption of alcohol on the premises on Fridays and Saturdays from 10.00 a.m. to 12.30 a.m. to read "12.00 a.m. to 2.30 a.m."

Amend seasonal variations to read “during the festive period (1 December to 2 January) as defined by South Ayrshire Licensing Board, the premises will operate such additional hours for the sale of alcohol in accordance with the South Ayrshire Licensing Board’s policy”.

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

**Applicant**

**Premises**

- |     |                           |   |
|-----|---------------------------|---|
| (2) | Punch Partnership Limited | Flynn’s Boatyard<br>1-5 Bridge Street<br>Girvan |
|-----|---------------------------|---|

Addition of Indoor/Outdoor Sports to Operating Plan.  
The premises will now house a pool table in the bar area.  
Building Standards have recommended a reduction in capacity from 130 persons to 126 persons.

The Board agreed to continue consideration of the above application to the Board meeting scheduled to take place in June 2017, at the request of the applicant’s agent.

- |     |                |  |
|-----|----------------|--|
| (3) | Ayr Rugby Club | Ayr Rugby Club<br>Millbrae<br>Alloway<br>Ayr |
|-----|----------------|--|

**Existing Licensed Hours**

**On-Sales**

**Off-Sales**

Monday	5.00 p.m. to 11.00 p.m.	N/A
Tuesday	5.00 p.m. to 11.00 p.m.	N/A
Wednesday	5.00 p.m. to 11.00 p.m.	N/A
Thursday	5.00 p.m. to 11.00 p.m.	N/A
Friday	11.00 a.m. to 12.30 a.m.	N/A
Saturday	11.00 a.m. to midnight	N/A
Sunday	12.30 p.m. to 11.00 p.m.	N/A

**Proposed Licensing Hours**

**On-Sales**

**Off-Sales**

Monday	10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Tuesday	10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Wednesday	10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Thursday	10.00 a.m. to 12.30 a.m.	10.00 a.m. to 10.00 p.m.
Friday	10.30 a.m. to 1.00 a.m.	10.00 a.m. to 10.00 p.m.
Saturday	10.30 a.m. to 1.00 a.m.	10.00 a.m. to 10.00 p.m.
Sunday	10.30 a.m. to 1.00 a.m.	10.00 a.m. to 10.00 p.m.

Include off sales (10.00 a.m. to 10.00 p.m.)  
Change core operating hours  
Seasonal variation  
Include additional activities (including outwith core hours)  
Update to children's statement  
Extension of outside drinking area as shown by boundary fence

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

**(b) Personal Licence Application.**

The Board considered the following application:-

<b><u>Application Number</u></b>	<b><u>Name</u></b>
SA/17/00017/LAPRS	Fiona Caddis

The Board heard from Police Scotland and from the applicant in response and thereafter granted the above application.

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

The Board considered the following application:-

<b><u>Applicant</u></b>	<b><u>Premises</u></b>
Nan Li	Blairquhan Castle Straiton

Wedding – 20/07/17, 21/07/17 and 22/07/17

20/07/17 – 4.00 p.m. to midnight  
21/07/17 – 2.00 p.m. to 1.00 a.m.  
22/07/17 – 4.00 p.m. to midnight

The Board granted the above application.

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

The Board considered the following applications:-

<b><u>Applicant</u></b>	<b><u>Premises</u></b>
(1) Daleglade Ltd.	Madisons Nightclub 38A Carrick Street Ayr

Scottish Grand National Race Weekend – 21/04/17 and 22/04/17 –  
2.30 a.m. to 3.30 a.m.

**Applicant**

**Premises**

(2) Daleglade Ltd.

Madisons Nightclub  
38A Carrick Street  
Ayr

AAM Scottish Golf Open – 14/07/17 and 15/07/17 – 2.30 a.m. to 3.30 a.m.

(3) Daleglade Ltd.

Madisons Nightclub  
38A Carrick Street  
Ayr

Ayr Gold Cup Weekend – 22/09/17 and 23/09/17 – 2.30 a.m. to 3.30 a.m.

(4) Daleglade Ltd.

Madisons Nightclub  
38A Carrick Street  
Ayr

Halloween Saturday – 28/10/17 – 2.30 a.m. to 3.30 a.m.

Having heard from the Depute Clerk to the Board, the Board granted applications (1) to (4) above.

(5) Sprig Ltd.

Furys  
154 High Street  
Ayr

Ayr Scottish Grand National Festival – Ladies Day – 21/04/17 – 2.30 a.m. to 3.30 a.m.

(6) Sprig Ltd.

Furys  
154 High Street  
Ayr

Ayr Scottish Grand National Festival – 22/04/17 – 2.30 a.m. to 3.30 a.m.

(7) Sprig Ltd.

Furys  
154 High Street  
Ayr

May Day Bank Holiday Weekend - 30/04/17 – 2.30 a.m. to 3.30 a.m.

Having heard from the Depute Clerk to the Board, the Board granted applications (5) to (7) above.

**Applicant**

**Premises**

(8) Charlene Irvine

Flix Fun Bar  
35 Bridge Street  
Girvan

Girvan Folk Festival – 28/04/17, 29/04/17, 30/04/17 –  
28/04/17 – 2.30 a.m. to 3.30 a.m.  
29/04/17 – 2.30 a.m. to 3.30 a.m.  
30/04/17 – 2.00 a.m. to 3.00 a.m.

(9) Charlene Irvine

Flix Fun Bar  
35 Bridge Street  
Girvan

Halloween - 27/10/17, 28/10/17, 29/10/17 –  
27/10/17 – 2.30 a.m. to 3.30 a.m.  
28/10/17 – 2.30 a.m. to 3.30 a.m.  
29/10/17 – 2.00 a.m. to 3.00 a.m.

Having heard the Depute Clerk to the Board advise that the applicant had amended application (9) to delete the applications for 27/10/17 and 29/10/17, the Board granted applications (8) and (9) above, application (9) for Halloween for 28/10/17 only.

(10) Robert Jardine

Westcliffe Hotel  
Louisa Drive  
Girvan

Girvan Folk Festival – 28/04/17, 29/04/17, 30/04/17, 01/05/17 –  
28/04/17 – 12.30 a.m. to 2.00 a.m.  
29/04/17 – 12.30 a.m. to 2.00 a.m.  
30/04/17 – midnight to 2.00 a.m.  
01/05/17 – 12.30 a.m. to 2.00 a.m.

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

(11) Imbex 88

Club de Mar  
1-5 Arthur Street  
Ayr

Scottish Grand National Race Day – 22/04/17 – 2.30 a.m. to 3.30 a.m.

The Board granted the above application.

(e) **Personal Licence Review.**

**Review Under Section 83(7) of the Licensing (Scotland) Act 2005.**

**Application Number**

**Name**

SA/09/00636/LAPRS

Lewis Dunlop Boyd

There was submitted a report (issued) of 3rd April 2017 by the Clerk to the Board advising

(A) that Mr. Boyd had advised the Board of a conviction he had received during the term of his licence and that Police Scotland had confirmed the details of the conviction but had made no recommendation to the Board; and

(B) of the options open to the Board in dealing with this review.

The Board then heard from Police Scotland in relation to this matter and from the licence holder's representative in response and, following discussion decided to note this conviction but to take no further action.

(f) **Premises Licence Review.**

**Review Proposal Under Section 44(7) of the Licensing (Scotland) Act 2005.**

**Licenceholder**

**Premises**

Lewis Dunlop Boyd

The Swan  
39 Portland Street  
Troon

Having received a notice from the Chief Constable under Section 44(4)(b) of the Act, the Board heard from Police Scotland in relation to this matter and from the licence holder's representative and, following discussion, decided that no review of this premises licence was necessary and, therefore, no further action should be taken.

9. **Any Other Business.**

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

**Applicant**

**Premises**

Martin McColl Limited

6 Bridge Street  
Dailly

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

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

The Board considered the following applications:-

<b><u>Applicant</u></b>	<b><u>Premises</u></b>
(1) Fiona Trousdale	Marquee Enterkine House Annbank
50th Birthday Party – 21/04/17 – 5.00 p.m. to midnight.	
(2) Fiona Trousdale	Marquee Enterkine House Annbank
Marie Curie Charity Lunch – 03/05/17 – 11.00 a.m. to 5.00 p.m.	
(3) Fiona Trousdale	Marquee Enterkine House Annbank
Arbonne Cosmetic Care Presentation – 14/05/17 – 1.00 p.m. to 6.00 p.m.	
(4) Fiona Trousdale	Marquee Enterkine House Annbank
Jersey Tone Tribute Night – 20/05/17 – 6.00 p.m. to midnight.	
(5) Fiona Trousdale	Marquee Enterkine House Annbank
Wedding Reception – 28/05/17 – 6.00 p.m. to midnight.	
(6) Fiona Trousdale	Marquee Enterkine House Annbank
Wedding Reception – 03/06/17 – 1.00 p.m. to midnight.	
(7) Fiona Trousdale	Marquee Enterkine House Annbank
Wedding Reception – 16/06/17 – noon to midnight.	
(8) Fiona Trousdale	Marquee Enterkine House Annbank
Wedding Reception – 17/06/17 – 2.00 p.m. to midnight.	

**Applicant**

**Premises**

(9) Fiona Trousdale

Marquee  
Enterkine House  
Annbank

Wedding Reception – 23/06/17 – noon to midnight.

(10) Fiona Trousdale

Marquee  
Enterkine House  
Annbank

Wedding Reception – 25/06/17 – 2.00 p.m. to midnight.

Having heard from the public objector, from the Team Leader (Trading Standards and Environmental Health) and from the applicant's representative in response who advised that application number (4) for the Jersey Tone Tribute Night had now been withdrawn, the Board adjourned for consideration of this application.

Upon reconvening, the Board granted the above applications subject to noise levels being monitored by Environmental Health Service to ensure that the noise was inaudible in the objector's home after 11.00 p.m.; and that all applications up to September 2017 should be submitted for consideration by the Board at its meeting in June 2017.

The meeting ended at 3.15 p.m.