

## **SOUTH AYRSHIRE LICENSING BOARD.**

Minutes of a meeting in the County Buildings, Wellington Square, Ayr,  
on 17th May 2018 at 10.00 a.m.

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

Attending: K. Briggs, Depute Clerk to the Board; G. Lauder, Team Leader (Trading Standards and Environmental Health); M. Smith, Environmental Health Officer; C. Andrew, Licensing Standards Officer; and J. McClure, Committee Services Lead Officer.

Also Attending: Chief Inspector G. l'Anson and Sergeant D. Dougan, 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 June 2018 at 10.00 a.m.

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

The Minutes of the Meeting of South Ayrshire Licensing Board of 19th April 2018 (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 May 2018 by the Depute Clerk to the Licensing Board advising of the following determination of an application for the Transfer of a Licence between the last Board meeting and the present one:-

- Units 29 and 32, Queens Court, Ayr.

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

### **5. Revocation of Personal Licences.**

There was submitted a report (issued) of 3rd May 2018 by the Depute Clerk to the Licensing Board advising of the revocation of personal licences.

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

## 6. Update from Licensing Standards Officer.

The Licensing Standards Officer advised

- (1) that, following the staff training event in March, two further dates had been arranged for 4th July and 5th September to allow Premises Managers and staff from all over South Ayrshire to attend, with bookings already confirmed for these two dates;
- (2) that, additionally, it was proposed to hold a training evening for representatives of Members' Clubs at the end of the bowling season to allow new committee members to update their skills;
- (3) that it was hoped that the training and continuing premises checks would assist in raising the standard of the mandatory staff training in South Ayrshire;
- (4) that, the two hour staff training was the minimum requirement for staff and must be provided when they commence working in licensed premises and, whilst staff were encouraged to attend these training sessions, it was not appropriate to wait until these times for staff to be trained; and all staff must receive training before then to comply with the conditions of the premises licence;
- (5) that, following the introduction of the minimum unit price for alcohol on 1st May 2018 and the limited information and publicity surrounding this, an information session had been held in County Buildings in April 2018 which was very poorly attended, however, those who attended had highlighted anticipated problems which had been very helpful;
- (6) that she had discovered that a number of premises were not complying with the minimum pricing requirements, many of whom were independent stores who were connected to a franchise and continued to be sent offers resulting in a price lower than 50p per unit;
- (7) that there still appeared to be some confusion around requirements with one operator stating that, as the premises was connected to a franchise based in England, his premises were exempt which was not the case;
- (8) that she had been spending considerable time working with retailers to ensure that they fully understood the requirements and had liaised with colleagues in East Ayrshire who shared some of this authority's operators, as a breach of the minimum pricing legislation was unlawful and also a breach of the mandatory conditions of a premises licence;
- (9) that from June 2018, any premises who had not sought further help or advice and were found to be in breach of the requirements would be issued with a Section 14 Licensing Standards Officer Notice for non-compliance; and
- (10) that with the arrival of the warmer weather she had been receiving complaints regarding noise and disturbance from beer gardens or from premises playing music and leaving windows and doors open, which had been investigated by Environmental Health Officers; and she reiterated that amplified music should not be played in a beer garden and all activities taking place within the curtilage of a licensed premises should be outlined in the Operating Plan.

**Decided:** having thanked the Licensing Standards Officer for her ongoing work on these matters, to note her report.

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

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

The Board considered the following applications:

<b><u>Applicant</u></b>	<b><u>Premises</u></b>
(1) The Memorial Club	The Memorial Club 20 North Harbour Street Ayr

**Existing Licensed 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	1.00 p.m. to 11.00 p.m.

**Off-Sales**

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

**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**

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

Change to core hours

Add seasonal variations

Include functions, music, live performances and gaming

Include use of premises outwith core hours

Permit children and young persons entry, accompanied by an adult, to attend functions, band practice and awaiting transport to football matches

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

**Variation in Order of Business.**

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

**Applicant**

**Premises**

(2) Shanter Inns Limited

Tam O'Shanter Inn  
and Restaurant  
230/234 High Street  
Ayr

**Existing Licensed 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	10.00 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	noon to midnight	noon to 10.00 p.m.

**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	10.00 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.

Formation of outside drinking area with serving area to the rear of the premises

Amendment to Sunday opening hours as above

Change to seasonal variations

Change to children's access

Having heard from the Team Leader (Trading Standards and Environmental Health) and from the applicant, the Board granted the above application subject to the following conditions:-

- (a) the outside drinking area is only to be used when there is a member of staff supervising it;
- (b) no alcohol is to be brought by customers from the inside licensed areas; all alcohol for the patrons of the beer garden is to be served from the dedicated outside servery;
- (c) no acoustic or amplified music or television screens in the outside drinking area; and
- (d) CCTV to be installed to monitor the outside drinking area.

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

The Board considered the following application:-

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

Guest Clubland DJ in addition to regular resident DJ – 02/06/18 – 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 the above application.

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

The Board considered the following application:

<b><u>Applicant</u></b>	<b><u>Premises</u></b>
Muir William Lawrie Fulton	Redstone Inn 92 Main Road Whitletts Ayr

**Existing Licensed Hours**

<b><u>On-Sales</u></b>		<b><u>Off-Sales</u></b>
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 12.30 a.m.	10.00 a.m. to 10.00 p.m.

**Proposed Licensing Hours**

<b><u>On-Sales</u></b>		<b><u>Off-Sales</u></b>
Monday	11.00 a.m. to 1.30 a.m.	11.00 a.m. to 10.00 p.m.
Tuesday	11.00 a.m. to 1.30 a.m.	11.00 a.m. to 10.00 p.m.
Wednesday	11.00 a.m. to 1.30 a.m.	11.00 a.m. to 10.00 p.m.
Thursday	11.00 a.m. to 1.30 a.m.	11.00 a.m. to 10.00 p.m.
Friday	11.00 a.m. to 1.30 a.m.	11.00 a.m. to 10.00 p.m.
Saturday	11.00 a.m. to 1.30 a.m.	11.00 a.m. to 10.00 p.m.
Sunday	11.00 a.m. to 1.30 a.m.	11.00 a.m. to 10.00 p.m.

Change of core hours as above

Allow premises to open from 9.00 a.m. for the service of teas, coffees and breakfast rolls

Allow children and young persons on premises only to attend functions and stay to the end.

Having heard the Depute Clerk to the Board advise that that part of the application for the change of core hours had now been withdrawn by the applicant and having heard Police Scotland subsequently withdraw their objection, the Board then granted the application, as follows:-

- Allow premises to open from 9.00 a.m. for the service of teas, coffees and breakfast rolls; and
- Allow children and young persons on premises only to attend functions and stay to the end.

The meeting ended at 10.25 a.m.