

## **SOUTH AYRSHIRE LICENSING BOARD.**

Minutes of a meeting in the County Buildings, Wellington Square, Ayr,  
on 8th March 2018 at 10.00 a.m.

Present: Councillors Craig Mackay (Chair), Lauren 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; G. Lauder, Team Leader (Trading Standards and Environmental Health); C. Andrew, Licensing Standards Officer; and J. McClure, Committee Services Lead Officer.

### **1. Declarations of Interest.**

Councillor Brown declared an interest in items 4(c) (1) to (7) as the applicants were clients of her employer.

### **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, 19th April 2018 at 10.00 a.m.

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

The Minutes of the Meeting of South Ayrshire Licensing Board of 8th February 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 20th February 2018 by the Clerk to the Licensing Board advising of the following determinations of applications for the Transfer of Licences between the last Board meeting and the present one:-

- (1) Flynn's Boatyard, 1-5 Bridge Street, Girvan – transferred to Punch Partnerships (PLT) Limited on 5th March 2018;
- (2) Robert Burns Birthplace Museum, Burns National Heritage Park, Murdoch's Lone, Alloway – transferred to National Trust for Scotland Enterprises Limited on 12th February 2018;
- (3) Culzean Castle Home Farm Restaurant, Culzean – transferred to National Trust for Scotland Enterprises Limited on 12th February 2018; and
- (4) Burns Education Pavilion, Murdoch's Lone, Alloway – transferred to National Trust for Scotland Enterprises Limited on 12th February 2018.

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

**5. Revocation of Personal Licences.**

There was submitted a report (issued) of 22nd February 2018 by the Clerk to the Licensing Board advising of the revocation of personal licences.

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

**6. Update from Licensing Standards Officer.**

The Licensing Standards Officer advised

- (1) that the staff training course for licensed trade members reported to last month's Board had now been arranged for Tuesday, 20th March 2018 and invitations had been submitted to the local licensed trade;
- (2) that a set of slides had been produced with the assistance of two members of the local trade who would be providing the training with her;
- (3) that it was hoped to provide training to sixty staff members with spaces quickly being booked; and Premises Managers were also requesting to attend as they were hoping it would assist them in providing training for their own staff;
- (4) that she would provide an update at the next Board meeting of 19th April 2018 on the success of the training project and, should there be adequate demand, she was keen to hold another training course in the next few months;
- (5) that she had been reminding Premises Managers and Premises Licence Holders that specific, recorded staff training was mandatory and that, following these training events and the offer of further information and guidance, she would expect all premises to be able to comply with the regulations and therefore any premises remaining non-compliant after this awareness raising project would be brought to the attention of the Board.

**Decided:** to commend the Licensing Standards Officer for her work on this project.

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

**(a) Application for Provisional Premises Licence.**

The Board considered the following application:-

<b><u>Applicant</u></b>	<b><u>Premises</u></b>
Unity Grill CIC	37 Sandgate Ayr
Retail Sale of Alcohol (On Premises) -	Monday noon to 11.00 p.m. Tuesday noon to 11.00 p.m. Wednesday noon to 11.00 p.m. Thursday noon to 11.00 p.m. Friday noon to 11.00 p.m. Saturday noon to 11.00 p.m. Sunday noon to 11.00 p.m.

The Board first considered the issue of locality for the purposes of this application and decided (with the agreement of the applicant) that 500m of the applicant premises would be the appropriate locality for consideration of this application.

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

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

The Board considered the following applications:-

<b><u>Applicant</u></b>	<b><u>Premises</u></b>
(1) Prestwick Golf Club	Prestwick Golf Club 2 Links Road Prestwick
The Club's Easter Foursomes Tournament – 30/03/18 to 02/04/18 – 8.00 a.m. to 10.0 a.m.	
(2) Prestwick Golf Club	Prestwick Golf Club 2 Links Road Prestwick
The Club's Victoria Vase Competition – 26/05/18 to 28/05/18 – 8.00 a.m. to 10.00 a.m.	
(3) Prestwick Golf Club	Prestwick Golf Club 2 Links Road Prestwick

Club's Member and Guest Day – 07/10/18 – 9.00 a.m. to 10.00 a.m.

The Board heard from the Licensing Standards Officer and from the Club Secretary in relation to items (1) to (3) above.

Councillor Pollock, seconded by Councillor Brown, moved that that the Board refuse applications (1) and (2) above.

By way of Amendment, Councillor Lyons, seconded by Councillor Mackay, moved that applications (1) and (2) be granted.

On a vote being taken by a show of hands, three Members voted for the Amendment and five for the Motion which was accordingly declared carried and applications (1) and (2) above were refused.

In relation to application (3) above, Councillor Brennan-Whitefield, seconded by Councillor Lyons, moved that this application be granted.

By way of Amendment, Councillor Andy Campbell, seconded by Councillor Brown, moved that this application be refused.

On a vote being taken by a show of hands, three Members voted for the Amendment and five for the Motion which was accordingly declared carried and application (3) was approved.

<u>Applicant</u>	<u>Premises</u>
(4) Daleglade Limited	Madisons 38A Carrick Street Ayr
Easter Sunday – Guest DJ and Vocalist Performing – 01/04/18 – 2.30 a.m. to 3.30 a.m.	
(5) Daleglade Limited	Madisons 38A Carrick Street Ayr
Scottish Grand National and Ladies Day – 20/04/18 and 21/04/18 – 2.30 a.m. to 3.30 a.m.	
(6) Daleglade Limited	Madisons 38A Carrick Street Ayr
Halloween Saturday – National Event – 27/10/18 – 2.30 a.m. to 3.30 a.m.	
(7) Daleglade Limited	Madisons 38A Carrick Street Ayr
Ayr Gold Cup and Ladies Day – National Event – 21/09/18 and 22/09/18 – 2.30 a.m. to 3.30 a.m.	
(8) Daleglade Limited	Madisons 38A Carrick Street Ayr
Scottish Airshow – National Event – 01/09/18 – 2.30 a.m. to 3.30 a.m.	
Having heard from the Licensing Standards Officer, the Board granted items (4) to (8) above.	

**Having previously declared an interest in items (1) to (7) below, Councillor Brown left the room during discussion of these applications.**

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

The Board considered the following applications:-

<u>Applicant</u>	<u>Premises</u>
(1) Fiona Trousdale	Marquee Enterkine House Annbank
Wedding – 21/04/18 – 6.00 p.m. to midnight (application continued from previous meeting)	

- (2) Fiona Trousdale Marquee  
Enterkine House  
Annbank

Wedding Reception – 28/04/18 – 1.00 p.m. to midnight (application continued from previous meeting).

- (3) Fiona Trousdale Marquee  
Enterkine House  
Annbank

Wedding Reception – 10/03/18 – 6.00 p.m. to midnight

- (4) Fiona Trousdale Marquee  
Enterkine House  
Annbank

Wedding Reception – 05/05/18 – 2.00 p.m. to midnight

- (5) Fiona Trousdale Marquee  
Enterkine House  
Annbank

Wedding Reception – 19/05/18 – 2.00 p.m. to midnight

- (6) Fiona Trousdale Marquee  
Enterkine House  
Annbank

Wedding Reception – 25/05/18 – 6.00 p.m. to midnight

- (7) Fiona Trousdale Marquee  
Enterkine House  
Annbank

Wedding Reception – 26/05/18 – 1.00 p.m. to midnight

Having heard from the applicant's representative, the Team Leader (Trading Standards and Environmental Health) and having considered a letter from an objector in relation to applications (1) and (2) above, the Board adjourned for consideration of applications (1) to (7).

Upon reconvening, the Board

- (a) granted applications (1) to (7) above subject to the additional conditions that (i) the licence holder must set a noise limiter to the volume and tone controls of any amplified music system(s) in such a way that the sound level emanating from the amplified music system(s) shall not cause nuisance within the nearest noise sensitive dwelling house or building and shall be inaudible in the nearest noise sensitive dwelling house or building after 11.00 p.m.; and (ii) the licence holder must be present on the premises at all times;

- (b) confirmed that live amplified entertainment or the use of a public address system was now permitted after 11.00 p.m.; and
- (c) granted delegated powers to the Depute Clerk to the Board to grant any future applications subject to the same conditions provided there were no further objections.

**Councillor Brown re-joined the meeting at this point.**

<u>Applicant</u>	<u>Premises</u>
(8) Nan Li	Blairquan Castle Maybole
Wedding – 14/07/18 – 2.00 p.m. to 1.00 a.m.	
(9) Nan Li	Blairquan Castle Maybole
Wedding – 21/07/18 – 2.00 p.m. to 1.00 a.m.	

Having heard from the Licensing Standards Officer, the Board granted the above applications (8) and (9).

**(f) Premises Licence Review.**

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

<u>Licenceholder</u>	<u>Premises</u>
Greene King Retailing Limited	Bruces Well 91 Portland Street Troon
	Dan McKays 71 Portland Street Troon
	Smiths 13 Dalblair Road Ayr
	The Burns 58/59 Main Street Symington
	Wheatsheaf Inn 3 Main Street Symington
	Drouthy Neebours 56 Smith Street Ayr

**Licenceholder**

Greene King Retailing Limited

**Premises**

Rabbies Bar  
23 Burns Statue Square  
Ayr

Having received a notice from the Chief Constable under Section 44(4) of the Act, the Board decided that no review of these premises licences was necessary and, therefore, no further action should be taken.

**8. Gambling Act 2005**

**(a) Variation to Family Entertainment Centre Licence.**

**Applicant**

Playnation Limited

**Premises**

Sundrum Castle Holiday Park  
Coylton

Increase in size of Adult Gaming Area.

The Board granted the above application.

The meeting ended at 10.40 a.m.